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CONGRESS AND THE CONTROL OF RADIO-BROADCASTING, I

CARL J. FRIEDRICH AND EVELYN STERNBERG

*Radio-broadcasting Research Project at Harvard University**

I. THE PROBLEM

Ever since the first regularly scheduled public radio-broadcast in 1920, Congress has played a unique and central rôle in the control of radio-broadcasting. As an agency for legislation, it has created the regulatory mechanisms under which the radio industry functions, and it has written the laws which govern this important area of communications. Congress, in fact, has set the pattern within which the various groups and interests operate, subject, of course, to the working rules of the capitalist order. In doing so, Congressmen have been at the beck and call of millions of constituents interested in radio as listeners or broadcasters, as educators or clergymen, as big or little business men. In caring for all of these varying interests, Congress has concerned itself with a few broad problems: what is heard on the radio, who shall control what is heard, who is able to hear what goes over the air, and who profits from radio. But Senators and Representatives are not merely the puppets of various pressures; they have a distinct political interest in programming, profits, and control. They have in radio a potent molder of public opinion—a powerful instrument which can help them to victory or defeat in the next election—and they have used it and will continue to use it to serve their personal fortunes, their parties, and their platforms. Thus in their own interest as well as in the inter-

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est of their constituents, Congressmen themselves form a pressure group, or rather a number of small but intensive pressure groups, influencing, cajoling, threatening, or entreating the regulatory Commission which they have created.

Congress makes itself felt not only as an agency for legislation, but also as an agency for criticism. There is a long history of Congressional attempts at investigation of the Federal Communications Commission or the industry. Also, the Senate, in confirming members of the Commission, and the House, in considering annual appropriation bills, have taken opportunity to criticize and question the Commission.

But even a cursory study of Congressional debates or hearings reveals the inadequacies of Congress in handling matters of technical complexity. Actually, Congress has always been a step behind technical progress in the radio field, following new developments with legislation only when these have grown big and important enough to demand the attention of Congress. These difficulties may be inherent in the nature of radio and in the nature of our Congressional system as well.[1] How can a Congress of laymen, working under complicated machinery, intelligently and with dispatch handle a technical phenomenon which has important social implications? How can Congress best make use of the "experts," and who should these experts be? What can be the job of Congress in regulating radio-broadcasting, and how can it best be done?

II. THE RADIO ACT OF 1927

Congress did not enact regulatory legislation until seven chaotic years after radio-broadcasting had made its debut. Meanwhile, the growing industry functioned under the Radio Act of 1912, which

[1] A number of general studies of radio-broadcasting which touch incidentally on the problems of government and control have been published in recent years. Among these should be noted: Francis Chase, Jr., *Sound and Fury* (Harper, 1942); S. H. Dryer, *Radio in Wartime* (Greenberg, 1942); C. J. Friedrich, *Radiobroadcasting and Higher Education* (Studies in the Control of Radio, No. 4); R. J. Landry, *Who, What, Why is Radio?* (Stewart, 1942); P. F. Lazarsfeld, *Radio and the Printed Page* (Duell, 1940); C. B. Rose, Jr., *National Policy for Radio Broadcasting* (Harper, 1940); Jeanette Sayre, *An Analysis of the Radiobroadcasting Activities of Federal Agencies* (Studies in the Control of Radio, No. 3); C. A. Siepmann, "Radio and Education" (*Studies in Philosophy and Education*, Vol. IX, No. 1, 1941). Very important also is R. E. Cushman, "Independent Regulatory Commissions," in Report of the President's Committee on Administrative Management (1937).

authorized the Secretary of Commerce to issue station licenses. Though this act had been drafted with reference to radio-telegraphy and radio-telephony, it was used by the Secretary in an attempt to allocate frequencies in the broadcasting band, regulate hours of operation, and fix power. But in 1926, when the Secretary of Commerce brought suit against a radio station for jumping its wave length and operating at hours not designated by its license, a Federal court decided the case in favor of the station.[2] This ruling was corroborated in an opinion of the Attorney-General stating that the Secretary could not designate frequencies, hours, or power, and could not refuse a license. Thus the act ceased to have any effect for radio-broadcasting and the need for new legislation became urgent. The idea of radio legislation was certainly not an entirely new one in Congress. Between 1921 and 1927, more than fifteen bills had been introduced in both houses to "regulate radio communications" and several more to amend the 1912 act to meet the new situation; but these died in committees, most often without hearings.

As Representative White put it, the new act was introduced at the request of listeners, industry, the fourth National Radio Conference, and two chief executives.[3] Its history is a fine illustration of legislative confusion and wrangling. This was owing in part to the number of slightly differing bills presented in both houses,[4] which lengthened the legislative process, while the necessity for immediate enactment of some kind of law before the end of the short session was extremely pressing. In part, too, it was owing to the difficulties of legislating for a rapidly changing medium and to the ignorance of all but a few Congressmen concerning the technicalities involved.

The debates on the 1927 act were marked by lengthy arguments on proper parliamentary procedure (an hour and ten minutes having once been consumed on the question of whether the bill could properly be called up), confusion over radio terms and technicalities, criticism of the conduct of the debates, and constant irrele-

[2] U. S. v. Zenith Radio Corporation, 12 F (2nd) 614.

[3] *Cong. Rec.*, 69th Cong., 1st Sess., Mar. 12, 1926, debate in House of Representatives on H. R. 9971.

[4] H. R. 5589; H. R. 9108; H. R. 9971; and see H. Rept. No. 464, 69th Cong., 1st Sess., and Sen. Rept. No. 772, 69th Cong., 1st Sess.

vancies.[5] There is no question that the legislation was largely determined before it reached the floor of the House, and the long debates were often involved and unnecessary, leaving the majority of the members as much in the dark as ever about the intricacies of radio and radio legislation. Representative Davis's warning, "You are dealing with what is going to be the most powerful political instrument of the future," did not make much impression on the final bill.[6]

In January, 1927, the conference committee submitted a compromise bill.[7] The House wanted the Secretary of Commerce to retain authority to issue licenses, subject to review by a commission, while the Senate was interested in the establishment of a permanent radio commission. By the compromise, the Federal Radio Commission was established on a temporary experimental basis for a year, after which powers and authority of the Commission except as to revocation of licenses would revert to the Secretary of Commerce and the Commission would continue as an appellate body only. The compromise was not enthusiastically received. Debating acceptance of the conference report, the House agreed that the legislation was not perfect, but that since something had to be done immediately, it was better than nothing. To Representative White, the new radio legislation established "that the right of the public to service was superior to the right of any individual to use the ether."[8]

The Commission was given power to classify radio stations, assign frequencies and wave-lengths, and regulate interference. Congress passed the Radio Act only a few days before it adjourned, and failed to make any appropriation for the Commission, which therefore was left to function without funds.

III. THE COMMUNICATIONS ACT OF 1934

From 1927 to 1930, the Federal Radio Commission existed as the licensing authority on a year-to-year basis, being renewed annually until made permanent. Its uncertainty of tenure, its complete dependence on the Congress for existence, made the FRC a timid agency, sensitive to Congressional criticism and appeals. It continued to function until the Federal Communications Act in 1934.

[5] *Cong. Rec.*, 69th Cong., 1st Sess., Mar. 12, 1926, debate in House of Representatives on H. R. 9971. [6] *Ibid.*

[7] See Conference Rept. on H. R. 9971, H. Rept. No. 1836, and Sen. Doc. No. 200, 69th Cong., 2nd Sess. [8] Cong. Rec., *op. cit.*

For some years, various government officials had expressed an interest in the establishment of an over-all commission concerned with communications. The existing set-up was unsatisfactory, since authority was divided between the ICC and FRC and the Department of Commerce. In 1932–33, a legislative attempt to combine the radio division of the Department of Commerce with the Commission was stymied by President Hoover's pocket veto after the bill had been passed by both houses.[9]

Early in 1934, President Roosevelt set up an interdepartmental communications committee including Secretary of Commerce Roper, Senator Dill, Representative Rayburn, Dr. Irwin Stewart, Dr. W. M. W. Splawn, and Major-General Charles Saltzman to urge legislation in Congress for the establishment of a federal communications commission with authority over both wire and radio companies. The understanding was that if the attempt at legislation failed, Senator Dill would ask the return of the radio commission to the Department of Commerce.[10] The committee submitted a report to the President which he in turn transmitted to the interested Congressional committees. Briefly, the Committee recommended "the transfer of existing diversified regulation of communications to a new or single regulatory body, to which would be committed any further control of two-way communications and broadcasting."[11] The *New York Times* saw in the report "new evidence of a trend toward government regulation of public necessities," and Mr. David Sarnoff's lecture before the Army Industrial College was widely interpreted to mean that the radio industry was now reconciled to government control.[12]

With the approval of the President, Senator Dill and Representative Rayburn started drafting bills[13] after agreement that controversial subjects should be omitted. In other words, the bill was to be minimum legislation, leaving the way open for the new commission to study the problem with a view to further legislation. Despite word that Roosevelt wanted the Dill bill made law, it immediately became a center of controversy, because it called for

[9] H. R. 7716. For the history of the Commission, see Laurence F. Schmeckebier, *The Federal Radio Commission; Its History, Activities, and Organization* (The Brookings Institution, 1932).

[10] *New York Times*, Jan. 11, 1934, p. 29.

[11] *Ibid.*, Jan. 28, 1934, p. 28.

[12] *Ibid.*, Feb. 3, 1934, p. 12.

[13] S. 2910; H. R. 8301; see Hearings before the Comm. on Interstate Commerce on S. 2910, U. S. Senate, 73rd Cong., 2nd Sess., Mar. 9–15, 1934.

repeal of the Radio Act of 1927. Under this act, the industry had jockeyed itself into a position of legal security which would be lost if the act were repealed.

A revised bill,[14] product of the hearings before the Senate subcommittee, was introduced by Dill on April 5. Meanwhile the House committee on Interstate and Foreign Commerce was holding a hearing on the Rayburn bill, which enjoyed the support of the industry because it did not repeal the Radio Act of 1927 but simply abolished the FRC.

Senate leaders met with President Roosevelt to determine his wishes concerning the legislation. "It was apparent," said the *New York Times*, "that his desires would control to a large extent."[15] The greatest controversy was over the so-called Wagner-Hatfield amendment, which would require that twenty-five per cent of facilities be allotted to religious, cultural, agricultural, coöperative, labor, and similar non-profit organizations. *Variety* reported that "the NAB were in a panic checking off names of Senators and trying to pull wires and get votes." The NAB wrote to all Senators asking them "not to destroy the whole structure of American broadcasting."[16] Senator Dill, though in favor of educational and religious broadcasting, disliked the method suggested in the amendment and argued that the so-called non-commercial stations would have to sell almost seventy-five per cent of their time to be self-supporting. Dill preferred to see the commercial stations required to give a certain part of their time to non-profit organizations.[17] The amendment was rejected, but *Variety* noted that "the Dill bill went whooping through the Senate without even the formality of a record vote after less than four hours' debate."[18]

The Rayburn bill, meanwhile, was favorably reported from the House committee and passed after some blistering remarks by Representative McFadden against the CBS-NBC monopoly and censorship. "The strong hand of influence," said McFadden, "is drying up the independent broadcasting stations in the United States and the whole thing is tending toward centralization of control in these two big companies . . . ."[19]

[14] S. 3285.

[15] *New York Times*, Apr. 14, 1934, p. 7.

[16] *Variety*, May 8, 1934.

[17] *Cong. Rec.*, 73rd Cong., 2nd Sess., May 15, 1934, debate on S. 3285, p. 8828 ff.

[18] *Variety*, May 22, 1934.

[19] *Cong. Rec.*, 73rd Cong., 2nd Sess., June 2, 1934, debate in House of Representatives on S. 3285.

A new bill emerged from the conference committee as a substitute for both the Senate and House bills.[20] It established the Federal Communications Commission, with seven commissioners to serve seven-year terms, and, with a provision for the Commission to fix its own divisions, not to exceed three. The Federal Radio Commission was abolished and the Radio Act of 1927 was repealed, though the radio provisions enacted in Title III of the new bill were similar to the former act. The Commission was given power to issue licenses, classify stations, assign frequencies, determine locations, and inspect apparatus. The system of equal allocation of broadcasting facilities within five zones was continued. However, additional licenses outside the quota for stations not over 100 watts were authorized in an attempt to cure the inadequacies of the quota system. The act further provided that the Commission should have authority to regulate chain broadcasting. Censorship was prohibited, lotteries banned, and equal facilities for candidates for public office provided. There were detailed regulations for issuance of licenses to aliens and to corporations in which aliens were interested. The FCC was asked to study "new uses for radio, provide for experimental use of frequencies, and generally encourage the larger and more effective use of radio in the public interest." The Commission was further asked to study the possibility of allocating a percentage of radio-broadcasting facilities to non-profit activities. After debate in the House, where certain Congressmen were unwilling to "rubber stamp a Senate bill,"[21] the conference report was adopted. President Roosevelt signed the bill, and on July 1 the act went into effect.

IV. RELATIONS BETWEEN CONGRESS AND THE COMMISSION

That Congress was seldom satisfied with the administration of the Federal Communications Commission is evidenced by the plethora of attempts at investigation and the harsh criticism in debates and hearings. Even as the bill abolishing the Federal Radio Commission was being discussed, there were three Senate resolutions to investigate it;[22] but none of these was acted upon. In 1936, a House resolution was introduced asking for investigation of the

[20] See Conference Report on S. 3285, H. Rept. 1981, 73rd Cong., 2nd Sess.

[21] *Cong. Rec.*, 73rd Cong., 2nd Sess., June 4, 1934, debate in House of Representatives on Conf. Rept. on S. 3285.

[22] S. Res. 250; S. Res. 260; S. Res. 275.

Commission, especially with regard to abuses in granting of licenses, broadcasts of obscene programs, and monopolistic practices.[23] The next year, Representative Connery again introduced the resolution,[24] but the Rules Committee refused to report it out. Connery's zeal for investigation was occasioned by the clergy's wrath at certain supposedly obscene broadcasts, and by the refusal of licenses and time to religious organizations. Meanwhile, Senator White, in a speech condemning monopoly, newspaper ownership of stations, trafficking in licenses, and chain broadcasting, urged investigation of the act and the Commission.[25] The Senator's chief concern was whether the FCC was carrying out the congressional purpose. Said he: "I do not view with complacence administrative disregard of legislative purpose."[26] It was the function of Congress and not of the administrative agency to determine questions of government policy. The FCC, by its rulings, was nullifying the congressional intent and in fact creating legislation of its own. The White resolution[27] authorizing the ICC to investigate the industry was unanimously reported from the Interstate Commerce Committee and barely missed passage. The next year the Senate Audit and Control Committee reported out Senator White's resolution, and he and Senator Wheeler were very anxious to have it come to a vote. Friction in the Commission had given new point to the resolution. As Representative O'Connor said: "There is a division in this Communications Commission as to whether there should be an investigation. It is an internal family row . . ."[28] Commissioners Payne and Craven had declared they welcomed a Congressional probe.[29] In February, 1938, Chairman McNinch, appointed the summer before in an effort to straighten out Commission affairs, aired charges in a network address against some of his colleagues who had disagreed with him on matters of policy and practices. But it was pointed out that the FCC itself had undertaken a study of the alleged monopoly and was, as its opponents claimed, in the ridiculous position of investigating itself.

But MacFarlane and Connery in the House had not given up hope of an investigation. At long last, the Rules Committee reported out the Connery resolution,[30] one of several pending before it, and there

[23] H. Res. 394, by Representative Connery. [24] H. Res. 61.
[25] *Cong. Rec.*, 75th Cong., 1st Sess., Mar. 17, 1937, p. 2332. [26] *Ibid.*
[27] S. Res. 149. [28] *Cong. Rec.*, 75th Cong., 3rd Sess., p. 9323.
[29] *Ibid.*, p. 5284 ff. [30] H. Res. 92.

followed a long and stormy session on the floor of the House.[31] Representative O'Connor of New York, chairman of the Rules Committee, declared that he had never seen such lobbying against a resolution, and although he cared little about the fate of the resolution, he hated to see the House ruled by a lobby. Throughout the debate there were references to the lobbyists. Said Representative O'Connor: "You will find difficulty in getting through the lobby because of the crowd of radio lobbyists," and Representative Connery quoted the Washington Merry-Go-Round, to wit: "Apparently the RCA is worried about a congressional investigation. [It has sent a] high powered publicity agent scurrying around the Halls of Congress to mold public opinion." At the last minute, some of its staunchest supporters, Representative MacFarlane, for example, voted against the resolution for one of two reasons. Either they decided to rely on the Temporary National Economic Committee's investigation of monopolies, or they saw in the investigation a chance for Republicans to smear Democrats. Representative Fish declared: "I am willing to bet dollars to doughnuts on a new campaign hat that the Democratic majority does not dare adopt this resolution." But when Representative Celler asked O'Connor: "Does the gentleman feel . . . that this resolution will give great comfort to the . . . Republican party?," O'Connor replied: "I do not think there is anything to that at all. My concern is to preserve the Democratic party against political scandals which exist in the FCC . . . . My misguided Democrats, submit to this pernicious lobby if you will, but I feel you are making a grave mistake." At any rate, the resolution was defeated by a good majority, and two days later the White resolution was passed in the Senate.[32]

Less than a year later, Connery again asked for an investigation[33] of the radio monopoly, and in 1940 Senator Tobey submitted a resolution to investigate, among other things, the administration of the Communications Act of 1934.[34] Representative Wigglesworth presented a resolution in 1941 to investigate the FCC.[35] Early in 1942, Representative Cox, criticizing Chairman Fly, announced his intention of offering a resolution for investigation of the Commission, and the following month he introduced the resolution to

[31] See *Cong. Rec.*, 75th Cong., 3rd Sess., June 14, 1938, pp. 9313–9325, for this debate and the quotations below.

[32] *Ibid.*, p. 9578. [33] H. Res. 462. [34] S. Res. 300. [35] H. Res. 51.

probe the organization, personnel, and activities of the FCC.[36] Fly was stoutly defended by Representative Rankin and the resolution blocked. On the first day of the new session in 1943, Cox reintroduced the resolution for a select five-man committee inquiry, charging the FCC with "terroristic control" of radio, and denouncing Chairman Fly in no uncertain terms.[37] The House voted almost unanimously for the Cox resolution.[38]

By keeping tabs on personnel, Congress has had another means of determining direction of the Commission. After the passage of the 1934 act, there was a good deal of political activity to block the appointment of the Federal Radio Commissioners to the new agency, and *Variety* reported leading Congressmen "working tooth and nail to grab off patronage."[39] The hearing on renomination of Colonel Thad Brown in 1940[40] is a notable example of Congressional power over personnel. Senator Tobey launched a one-man crusade against a favorable report and used the renomination hearing to open up the monopoly charges against both major networks and to condemn the Commission's handling of the problem. Since Brown had been chairman of the FCC committee investigating monopoly, Senator Tobey attempted to make Brown's renomination depend on the adequacy of the committee's report. Though all appointments are determined in part by politics, the political tie-up in Brown's case was particularly evident. The background of this situation is typical, for Senator Tobey's concern for the public interest came in response to specific urgings. The story, as pieced together from "inside" information and from the trade press, was roughly as follows: A priest of the Roman Catholic Church, hailing from Portsmouth, N. H., who had done some broadcasting and wanted to do more, had been given the cold shoulder by CBS. Thereupon, he insisted that radio was a vicious monopoly and that something should be done about it. He demanded that Senator Tobey find out what had become of the Commission's long-heralded monopoly investigation. Colonel Brown, it would appear, had not been especially active as chairman of the FCC committee

[36] H. Res. 426. [37] H. Res. 21.

[38] *Cong. Rec.*, 78th Cong., 1st Sess., Jan. 19, 1943. See also H. Res. 55 by Rep. Sparkman, Jan. 18, 1943, to broaden investigation to cover the industry.

[39] *Variety*, June 13, 1934.

[40] See Hearings before the Committee on Interstate Commerce, U. S. Senate, 76th Cong., 3rd Sess., on Nomination of Thad H. Brown for Reappointment as Federal Communications Commissioner.

charged with that particular investigation. To make it worse, Brown was generally credited with being a "spokesman" for the industry on the Commission, though it became quite clear that other members of the Commission as well were at times unduly responsive to the industry's viewpoint. The local political angle lent further unsavory odor to the situation when it developed that Senator Tobey's political opponent, Senator Moses of New Hampshire, had acted as an intermediary in securing special favors for Sarnoff, president of RCA and of the National Broadcasting Company. In any case, Commissioner Brown's renomination was rejected by the Senate, and he died shortly thereafter.

Congress can be effective not only in confirming personnel, but in granting or withholding appropriations. This power over appropriations has been important from the very first year of the Federal Radio Commission, when Congress failed to appropriate any funds at all, to last year, when a House committee adopted an amendment denying funds for salary to an FCC foreign broadcasting agent whose appointment had been criticized.[41]

But these recognized Congressional activities do not begin to suggest the extent and intimacy of the relations between Congress and the Commission. In 1940, the Attorney-General's Committee on Administrative Procedure noted that "it is a widely and firmly held belief that the FCC had been subjected to constant external pressure, particularly by members of Congress";[42] but an adequate job of documenting these pressures has never been done and, indeed, would be almost impossible to do. While it is true that all communications submitted to the FCC in connection with any case must be "on the record," there is no way, for example, of checking informal telephone conversations and social meetings. Being only human, it would seem impossible for Commission members, in the words of Senator Tobey, to avoid subconscious influence, and, like Caesar's wife, be above suspicion. If the FCC is to be above suspicion, a duty devolves upon Congressmen as well as upon Commissioners. Congress condemns the FCC for being oversensitive to political pressures for which it is itself responsible. Congress might do its part to preserve the independence and integrity of the Commission it created. As the Acheson committee

[41] *Cong. Rec.*, 77th Cong., 2nd Sess., Jan. 22, 1942.

[42] *Administrative Procedure in Government Agencies*, Part III, p. 59. Sen. Doc. No. 186, 76th Cong., 3rd Sess.

monograph points out, Congressional response to constituents in the matter of licenses and frequencies is heightened because of the political value of radio and radio-broadcasters to the Congressman in his home town or state. "Attempts by Congressmen to utilize their official positions as an excuse for special pleading (under the guise of explaining 'peculiarities of local situations') are made with some degree of frequency from the time an application is filed until the Commission has rendered its final order."[43] Commenting on the report, *Variety* notes that the "errand boy" Congressman has become increasingly active in radio matters, and that this is one of the most vicious aspects of the back-door radio lobby in Washington.[44] The situation calls for reconsidering and redefining the relations between Congress and the Commission.

V. CONGRESSIONAL INTERESTS IN RADIO-BROADCASTING

(1) *Broadcasting by Congressmen.* Having recognized the political value of radio, Congressmen have made good use of it. For example, CBS reports that from 1929 to 1940, Senators addressed radio audiences over Columbia sustaining programs more than 700 times and Representatives more than 500 times. Often Congressmen resent the fact that radio stations outside their immediate constituencies refuse to carry their speeches when these are offered by the networks. But in general Congressmen have little to say to the people of the country and direct their remarks toward their own "local corner of the republic." There has been little occasion for complaints about the use of radio by Congressmen. During election campaigns, however, when political candidates pay for time, there have sometimes been charges of discrimination by stations or slander by speakers. Such charges were brought by Senator Stiles Bridges of New Hampshire against Station WMUR of Manchester as a result of its activities in the elections of November, 1942. Senator Bridges asked the FCC to suspend WMUR's license to compel it to cease engaging in false and malicious propaganda. Francis Murphy, who unsuccessfully opposed Bridges for election, is chief stockholder and director of Radio Voice of New Hampshire, Inc., which operates the station. Bridges charged that the station broadcast as news political statements promoting Murphy and slandering Bridges.[45]

[43] *Ibid.* [44] *Variety*, Feb. 21, 1940. [45] *Ibid.*, Nov. 4, 1942.

There has been from time to time a movement in Congress to broadcast proceedings of the Senate and House directly from the floor, and at least four bills to this effect have been introduced, but they have not been acted upon.[46] It is interesting to speculate on the effect a radio audience would have on Congressional debates and procedures.

(2) *Concentration of Control.* In the main, the interests of Congressmen in their dealings with the regulatory commission and in their attempts at legislation have been marked out for them by a number of well-organized pressure groups which represent the Congressman's constituents more effectively than they could ever represent themselves. In general, these interests fall into three categories: control, program content, and adequacy of service; but in fact this can be only an artificial grouping, since the three types of problems are interrelated. Probably the hottest issue politically has been that of control, and from the point of view of time consumed in hearings and debates, Congress has been more concerned with the problems of monopoly than with any other aspect of the radio industry. Competition has always been considered desirable in the American economy, but particularly in radio has Congress been vigilant to preserve competition because of the nature of radio as a molder of public opinion and an instrument of political power.

The burden of safeguarding the growing industry from the dangers of monopoly was given to the Commission at the outset, when, in the 1927 act, Congress directed the Commission to refuse licenses to those found guilty of unlawful monopoly. But in 1931, RCA, found guilty of violating the anti-trust laws, did not lose its licenses. Congress was dissatisfied with the job the Commission was doing in preventing monopoly, and indeed it had reason to be. The debates on the Communications Act of 1934 were marked by blasts against the so-called radio trust. "Broadcasting in the United States is rapidly becoming a monopoly in the hands of these two systems" [NBC and CBS], said Representative McFadden.[47] Congress was influenced by a flood of articles like that of Eddie Dowling, who asserted that the radio industry was a "private monopoly of immense power . . . playing both ends against the middle and subject to no authority or control except a purely technical

[46] S. Res. 28, Dec. 7, 1931; S. Res. 71, Dec. 14, 1931; S. Res. 29, Mar. 15, 1933; S. Res. 93, Mar. 15, 1937.

[47] *Cong. Rec.*, 73rd Cong., 2nd Sess., June 2, 1934, p. 10309.

supervision of wave-length assignments."[48] The 1934 act provided that a court may revoke a license if the licensee is found guilty of violating the anti-trust laws. In 1935, Representative Monaghan presented a bill[49] for government control in which radio monopoly was cited as the chief abuse of the present system and as proof of the necessity of government control. In the course of the debate, one Congressman said: "The president of NBC publicly admitted that the primary purpose for which his company was organized was not to serve the public interest but to serve the radio manufacturing industry and the Bell Telephone Company."[50]

Concern over concentration of control reached a new high in 1937, when there were pending at the same time no less than four resolutions[51] for investigation of monopolistic practices. Stating that a "colossal fraud was being perpetrated on the American people," MacFarlane claimed that the monopolies controlled all forty clear channels, all stations of over 1,000 watts operating at night, and ninety-three per cent of transmitting power.[52] In his resolution, Senator White noted that "there has come about a monopolistic concentration of ownership or control of stations in the chain companies of the United States."[53] The monopolies were accused of stock racketeering, of faulty financial practices, of trafficking in licenses. Later, when the problem of introducing television came to the fore, the radio monopoly was condemned for handling patents and production in a manner against the public interest.

None of the resolutions for investigation of monopoly was ever passed, but in 1938, under Congressional pressure, the FCC appointed a committee of three Commissioners particularly to determine regulations for chain broadcasting and the growing networks which had occasioned the monopoly charges in Congress. The report was not issued until May, 1941,[54] and meanwhile Congress had grown impatient and started hearings of its own. In the summer of 1940, in considering the renomination of Thad Brown to the Commission, the Senate Committee on Interstate Commerce held

[48] "Radio Needs a Revolution," in *Forum*, Feb., 1934.

[49] H. R. 8475.

[50] *Cong. Rec.*, 74th Cong., 1st Sess., Aug. 23, 1935, pp. 14310–14316.

[51] H. Res. 61; H. Res. 92; S. Res. 149; H. Res. 321.

[52] *Cong. Rec.*, 75th Cong., 1st Sess., July 19, 1937, p. 7282.

[53] *Cong. Rec.*, 75th Cong., 1st Sess., July 6, 1937, p. 6786.

[54] *Report on Chain Broadcasting*, FCC Commission Order No. 37, Docket No. 5060, May, 1941.

lengthy hearings at which the financial manipulations of the major networks and of the RCA were exposed.[55]

Although they made a loud noise, the actual number of Representatives and Senators speaking against the radio monopoly and demanding investigations could be counted upon the fingers of one hand. Those Congressmen on the other side of the fence were mostly inarticulate because the popular trend was to crusade against monopoly and they saw no need to make themselves unnecessarily unpopular. But there is little doubt they did a good deal of off-the-record work with the Commission for those who had important financial interests in the industry.

(3) *Adequacy of Service—Technical.* Congressional concern with concentration of control was occasioned not only by interest in financial manipulations and business practices of the licensees, but also by fear that monopolies would not provide adequate service to listeners. Whether service is considered adequate will depend in part on one's idea of the function of radio, and in part on the group whose interests are being considered primarily. It is obvious that the listening public ought to be the chief concern of the broadcaster. There is not one public, however, but several publics to be served. The needs of audiences in various parts of the country, in rural and urban areas, must be weighed against each other and some kind of balance achieved, since restricted facilities cause problems of allocation to persist. Although the actual job of allocating frequencies has fallen to the Commission, Congress has aired its views at length on the maximum and optimum use of the limited broadcasting band and has incorporated its ideas in general legislation to form the basis of an allocations policy for the Commission. That it has not always been successful has been due to its own inadequacies as a body of non-technical persons legislating in an engineering sphere, to its faulty use of experts' knowledge, and to the continually advancing state of radio.

In the Radio Act of 1927, Congress's vague dictum to the Commission was to distribute facilities "among the different states and communities so as to give fair, efficient, and equitable radio service to each of same." This proved unsatisfactory, since it left too much discretion to the Commission, and in general Congressmen were

[55] Hearings before Committee on Interstate Commerce, U. S. Senate, 76th Cong., 3rd Sess., on Nomination of Thad H. Brown for Reappointment as Federal Communications Commissioner, July–Aug., 1940.

not pleased with the job. The next year, therefore, the so-called Davis Amendment was passed, providing for equal allocation of station facilities to each of five zones, and allocation to states within each zone according to population. But the theory behind the Davis Amendment proved fallacious. The five zones were unequal in population distribution and in area, so that while the number of stations was equal, the amount and type of service were not. Early in 1932, Senator Shipstead introduced a bill[56] to correct the inequalities created by the Davis amendment by distributing radio facilities by state rather than by zone, but this was killed in the Interstate Commerce Committee. At that time Congress was concerned with a bill to revise the 1927 act,[57] and the debates offered an opportunity for representatives from Western states to stump for a more favorable allocations structure. "Every district in the United States is entitled to at least a small station, and if they are country people they are entitled to rights just the same as city people," said Representative Blanton.[58] In the 1934 act, the inequality of the zone system was partially corrected when a section was provided to allow additional licenses outside the quota for stations not over 100 watts. The zone system was finally abolished by Senator Wheeler's bill, which became law in 1936.[59]

But it was not only the problems of allocation of frequencies that worried Congress, but also problems of power. On this subject, there are two schools of thought in Congress, as there are in the industry. There are those who would go all out for a small number of superpower and clear channel stations, and on the other hand, those who are interested in large numbers of small-power, local stations. Of course, this is stating the case in extremes, since there are any number of Congressmen who think it would be nice to have a few superpower stations and some low-powered stations, some clear channels and some locals, etc. This is not the place to discuss the varied ramifications of the complicated issues of superpower and clear channels. Since in certain respects the subject is a sectional one, Congressmen have been busy presenting the views of their respective constituents to the Commission, which has held a number of hearings on the problem. In 1938, the Senate adopted a resolution introduced by Senator Wheeler of Montana,[60] who has

[56] S. 3649. [57] H. R. 7716.
[58] *Cong. Rec.*, 72nd Cong., 1st Sess., Feb. 10, 1932, pp. 3681–3705.
[59] S. 2243. [60] S. Res. 294.

been a leader in the fight against superpower, to prohibit stations with power above fifty kilowatts, claiming that such stations were against the public interest because of their adverse effect on small stations and their tendency to aid concentration of control. When the FCC revoked WLW's 500 kilowatt license in 1939, Representative Sweeney of Ohio objected strenuously, demanding "radio parity for rural listeners."[61] Most recently, the hearings on the Sanders bill[62] before the House Committee on Interstate and Foreign Commerce have been the occasion for Congressional reconsideration of superpower and clear channel.[63] The Sanders bill called on the Commission to report to Congress on its administration of Section 307 (b) of the Communications Act of 1934. By this section, the FCC was directed so to distribute licenses and power as to provide "fair, efficient, and equitable" radio service to the several states and communities. Clear Channel Associates, through Victor Sholis, demanded more superpower stations.[64] Against them, Paul Spearman, representing a group called Network Affiliates at the hearings, recommended, among other things, that Congress limit power to fifty kilowatts.[65] The testimony of the Clear Channel Associates was in some degree counteracted by that of E. K. Jett,[66] chief engineer of the Commission, who claimed that the station serving the widest rural area is not a clear channel station at all. The whole subject of allocations promises to be one of the most pressing issues before Congress in postwar radio legislation.

(4) *Adequacy of Service—Programming.* The problem of adequacy of service involves not only the technical engineering aspects of allocation, but the social aspects of program content as well. For a long time, one of the arguments against clear channel stations has been that the culture of local areas will suffer without local stations. Similarly, those who object to widespread network broadcasting are afraid that programs emanating exclusively from the big cities and talent centers of the country will make New Yorkers and Hollywoodites out of all Americans, and local American music, dancing, and humor will be forgotten.

[61] *Cong. Rec.*, 76th Cong., 1st Sess., May 16, 1939, pp. 2020–2022 (Appendix).

[62] H. R. 5497, 77th Cong., 2nd Sess.

[63] Hearings before Committee on Interstate and Foreign Commerce, House of Representatives, 77th Cong., 2nd Sess., on H. R. 5497, Apr. 14–July 1, 1942.

[64] See Hearings on H. R. 5497, Part 2, p. 687 ff.

[65] See Hearings on H. R. 5497, Part 1, p. 397 ff.

[66] See Hearings on H. R. 5497, Part 3, p. 1032 ff.

It has been suggested that there is a basic conflict between the method of allocating facilities and the manner of using them. Though the Commission allocates facilities scientifically, it has no comparable criteria for evaluating the utilization of them. Indeed, Congress did not intend the FCC to have an interest in programming outside of the very general interest implied in the phrase "public convenience, interest, or necessity." At various times, Congress has sought to remedy this vagueness by providing for more definite programming control. The most notable effort in this direction was the amendment to the act of 1934, introduced by Senators Wagner and Hatfield, for twenty-five per cent allocation of facilities to non-profit organizations—religious, educational, labor, agricultural, etc.[67] Wagner and Hatfield made it clear that the non-profit groups were demanding legislation. The chief proponents of the amendment were the Paulist Fathers, whose station, WLWL in New York, had suffered a cut in broadcasting hours. Testifying before the Senate Committee on Interstate Commerce in March, 1934, Father Harney suggested that twenty-five per cent of facilities be assigned to "human welfare" organizations, leaving to the Commission the power to divide the twenty-five per cent between the various groups, and allowing the non-commercial stations to sell time to the extent of supporting themselves. He cited the "beggarly and outrageous" allocation of facilities to educational stations.[68] Father Harney quoted from a letter which Sykes, chairman of FRC, had written to Representative Merritt, a member of the House Committee, in which Sykes said: "Many special interests are able to appeal to Congress, or to particular members of a Congress, and time does not permit a complete hearing on the question at issue. It seems most desirable, therefore, that all cases be heard by the administrative body."[69] But Harney was determined that the issue should come directly to the Congress, and indeed it was brought to the House by Representative Rudd as an amendment to its Federal Communications Act and to the floor of the Senate by Senators Wagner and Hatfield as an amendment to the 1934 Federal Communications Bill, and de-

[67] See *Cong. Rec.*, 73rd Cong., 2nd Sess., May 15, 1934, pp. 8828 ff.

[68] Hearings before Senate Committee on Interstate Commerce, 73rd Cong., 2nd Sess., on S. 2910, Mar. 9–15, 1934, pp. 184–192.

[69] Hearings before Committee on Interstate and Foreign Commerce, House of Representatives, 73rd Cong., 2nd Sess., on H. R. 8301, Apr. 10, 1934, p. 151.

bated at length before it was defeated.[70] At that time, it was pointed out that eighty per cent of the time given to education by commercial stations was sustaining time, when the stations would be presenting programs at their own expense anyway. The amendment was defeated, not so much because Congressmen objected to educational and religious broadcasting, but chiefly because of the faulty drafting of the amendment and the administrative difficulties envisaged in carrying out the particular plan proposed.

There was also growing dissatisfaction among certain Congressmen with the use of radio facilities for commercial advertising. In a speech before the meeting of the American Association of Advertising Agencies in 1932, Representative Edwin Davis declared that "radio is not maintained to sell goods,"[71] and that the only justification for advertising is to maintain radio financially. He suggested legislation by Congress on the length and quality of advertising. This suggestion is particularly interesting in view of the recent campaign by listeners and broadcasters against objectionable advertising. Liquor advertising, especially, was in the orbit of Congressional concern, and from 1934 on, no less than ten bills were introduced to prohibit liquor advertising on the air.[72] "There comes over the radio nightly," said Representative Culkin, "a glorification of booze."[73] It was insisted that liquor was as offensive as lotteries, which had been banned from the radio by the act of 1934. Although the bills never came out of committee, the forces which had been working on Congressmen to ban liquor advertising had done an effective job on the NAB, which decided to prohibit such advertising on the air.

(5) *Censorship and Free Radio.* In general, Congress has from the outset been concerned with the type and quality of programs on the air, and there was some recognition of this concern in the Federal Communications Act when it prohibited lotteries and "obscene, indecent, or profane language." At the same time, however, Congress showed its concern for free speech and freedom from censorship when it wrote into the act that nothing "shall be under-

[70] *Cong. Rec.*, 73rd Cong., 2nd Sess., May 15, 1934, p. 8842.

[71] See *Cong. Rec.*, 72nd Cong., 1st Sess., Apr 22, 1932, p. 8699.

[72] S. 3015, Mar. 10, 1934; H. R. 8404, June 7, 1935; H. R. 3140, Jan. 18, 1937; S. 3550, Feb. 25, 1938; H. R. 9624, Feb. 25, 1938; H. R. 251 and H. R. 252, Jan 3, 1939; S. 517, Jan. 10, 1939; S. 575, Jan. 12, 1939; H. R. 123, Jan. 3, 1941; H. R. 6785, Mar. 13, 1942.

[73] *Cong. Rec.*, 74th Cong., 1st Sess., June 18, 1935, p. 9613.

stood or construed to give the Commission the power of censorship over the radio communication . . . " and prohibited the Commission from fixing rules "which shall interfere with the right of free speech."[74] Congress said also "the *licensee* shall have no power of censorship over the material broadcast."[75] These two concepts of freedom of speech and program quality, while certainly not paradoxical, have frequently involved the Commission, the industry, and Congress in conflict situations. On not a few occasions, Congressmen have been agitated at allegedly "obscene and indecent programs" on which the Commission had taken no action. But always in their remarks in House or Senate they were treading on precarious ground, since the line where censorship infringed on free speech was ill-defined at best. Though it was agreed that programs should be fit for all to hear, the idea of censorship was anathema to a large number of Congressmen. Yet Congressmen particularly deplored the broadcasts by "Doc" Brinkley,[76] who continued to broadcast into the country from Mexico when the FCC refused him a license, a Mae West broadcast over a major network,[77] and a Mexican program with an obscene song.[78] Congress called upon the broadcasting industry to "clean its stables,"[79] and action was demanded of the Commission; but beyond this Congress did not go.

Religious and political broadcasting were most affected by the problems of censorship vs. free speech, and these were the two fields with which Representative McFadden was concerned in a bill introduced in 1934 to abolish radio censorship and provide equal treatment for political candidates.[80] His bill was directed particularly to the protection of persons running for public office, and of religious propaganda over the air. The hearing was mostly taken up with testimony by Jehovah's Witnesses, who claimed to have been shut off the air, as indeed they had been, though, as Bellows

[74] Federal Communications Act, June 19, 1934, ch. 652, sec. 326, 48 Stat. 1091.

[75] *Op. cit.*, sec. 315, 48 Stat. 1088.

[76] See *Cong. Rec.*, 72nd Cong., 1st Sess., Apr. 11, 1932, p. 7862. See also "The Development of the Control of Advertising on the Air," by Carl J. Friedrich and Jeanette Sayre, *Studies in the Control of Radio*, No. 1 (1940).

[77] *Cong. Rec.*, 75th Cong., 3rd Sess., Jan. 14, 1938, p. 560; Jan. 26, 1938, p. 357 (Appendix).

[78] *Cong. Rec.*, 74th Cong., 2nd Sess., Jan. 15, 1936, pp. 417–422; June 20, 1936, p. 10660.

[79] *Cong. Rec.*, 77th Cong., 2d Sess., June 9, 1942, p. 5260.

[80] H. R. 7986.

of CBS put it, not through the exercise of censorship, but through the exercise of selection.[81] While it was true that licensees had no power to censor, he said, they did have the right to select and were under the constant necessity of doing so. Thus the broadcasters got around the issue.

After passage of the Communications Act, three bills were introduced to clarify the confusion over censorship.[82] These would have required stations to devote certain hours to unrestricted discussion of public issues without payment, and would have protected licensees from libel suits on the broadcasting of public questions. The whole issue was highlighted when Father Coughlin was forced off the air, and again in 1941 when the discussion of isolationism vs. interventionism deeply stirred the country. At that time, Senator Wheeler was accused of having used his influence to prevent broadcasts of Walter Winchell's programs over a Montana network. The head of this network, the Z-Bar, declared that stations had deleted the commentator's programs "as a protest to a very unfair system of presentation that is not conducive to free speech." "Under the present system," he said, "the networks have no way of even calling to the attention of listeners . . . the time a speaker of differing views will be heard."[83]

The most recent legislative attempt to clarify the censorship issue was the bill introduced by Representative Ditter of Pennsylvania at the beginning of 1940.[84] *Variety* saw in the bill "an avowed move to end backdoor censorship and political jockeying."[85] Recalling the Congressional intent in the act of 1934 to deny the FCC any censorship powers, Ditter declared that the "public convenience, interest, or necessity" clause was being used as an excuse to censor programs.[86] Congress and the courts, not the Commission, should determine program standards in the public interest. Furthermore, Ditter contended that program standards should be set up in advance and objected to "ex post facto censorship" (as Commissioner Craven called it) at hearings on license renewals.

[81] Hearings before Committee on Merchant Marine, Radio, and Fisheries, House of Representatives, 73rd Cong., 2nd Sess., on H. H. 7986, Mar. 15–20, 1939, p. 158.

[82] H. R. 9229, 74th Cong., 1st Sess., Aug. 23, 1935, p. 14399; S. 2755, S. 2756, S. 2757, 75th Cong., 1st Sess., July 8, 1937, p. 6893; S. 3515, 76th Cong., 3rd Sess., Mar. 5, 1940, p. 2337; H. R. 1082, 77th Cong., 1st Sess., Jan. 3, 1941, p. 20.

[83] *Broadcasting*, July 28, 1941. See also July 14, 1941.

[84] H. R. 8509. [85] *Variety*, Feb. 21, 1940, p. 23.

[86] *Cong. Rec.*, 76th Cong., 3rd Sess., p. 806 ff. (Appendix).

Though he conceded that there were limitations on free speech, he said: "We certainly never intended to delegate to this Commission the power to impose its judgment as to what are good programs and what are bad programs."[87] The bill would completely deny the FCC the right to consider program offenses in passing on renewals. To date, Congress has not acted on this problem. However, the confusion under which the industry and the Commission previously labored has been mitigated by the directives provided by the War Information and Censorship agencies.

(*To be concluded in the next issue*)

[87] *Ibid.*

AMERICAN GOVERNMENT AND POLITICS

"BILL OF ATTAINDER" IN THE SEVENTY-EIGHTH CONGRESS

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Among the numerous recent clashes between the Chief Executive and Congress, only one poses fundamental constitutional issues. This conflict has arisen from the efforts of Congress to drive three well-known liberals out of the federal service. On September 14, President Roosevelt submitted a special message to Congress, as forecast in his press conference of July 13, recording his view that the action in question was "not only unwise and discriminatory, but unconstitutional" as an "unwarranted encroachment upon the authority of both the executive and the judicial branches," and hence not binding upon them. The following commentary is offered by a participant observer in the hope that it may help to clarify the climate of Congressional opinion and explain in some degree why defense of the Constitution and subversion of the Constitution have become confused in the national legislature.

Anti-Comintern on Capitol Hill. On February 1, 1943, Martin Dies of Texas arose on the floor of the House on a question of personal privilege to defend himself against allegations by the National Lawyers' Guild and *The New Republic* that he was giving aid and comfort to the Axis Powers. In the course of his two-hour address (*Cong. Record, 78th Cong., 1st Sess.*, Vol. 89, pp. 504–516),[1] he assailed 39 named officials in various executive agencies as "irresponsible, unrepresentative, radical, and crackpot." He declared in conclusion: "We as members can say: 'If you do not get rid of these people, we will refuse to appropriate money for their salaries'. . . . It is now in order that the Committee on Appropriations take immediate and vigorous steps to eliminate these people from public office. . . . All of us must break a lance in defense of constitutional government. We must say to the bureaucrats and the crackpots and the Communists and all of the disciples of totalitarianism, Americanism must live, America shall live."

Four days later, Hendricks of Florida offered an amendment to H. R. 1648, making appropriations for the Treasury and Post Office Departments, to the effect that "no part of any appropriation contained in this act shall be used to pay the compensation of" any of the 39. Among the objectors to this procedure was Keefe of Wisconsin, who championed "constitutional government" and said: "I will not destroy my faith in

[1] All date and page references hereafter are to the volume indicated unless otherwise designated.

the democratic process by not giving an individual who is inferentially accused of a crime an opportunity to be heard in a court of law." Cox of Georgia opined that "communistic rats that have been gnawing away at the foundations of constitutional government" should be "put out of office." Said Dies: "My idea of handling not only these 38 but some 1,200 in all is for us to have the opportunity to present the evidence to the Appropriations Committee and let the Appropriations Committee weigh the evidence and then take immediate steps to dismiss these people from the federal service." The Hendricks amendment was voted down, 146 to 153 (February 5, p. 691), but another Hendricks amendment, naming only William Pickens of the Treasury Department for dismissal, was approved, 163 to 111. This action was not based upon any investigation or committee report, but only upon Dies' personal charges on the floor.

The Red and the Black. The initial crisis which led to the establishment of the Kerr Committee was not due to any acceptance of the view of Ford of California, *inter alia* (p. 737), that this rider was an unconstitutional "bill of attainder," but rather to the politically startling discovery on February 8 that William Pickens was a Negro. Dies, supported by Cannon of Missouri, chairman of the Appropriations Committee, recited in vain Pickens' 21 alleged "Communist-Front" affiliations. Knutson asserted that the singling out of one colored man was "almost lynch law." Others, including Dawson of Illinois, the only colored member of Congress, came to Pickens' defense. It was clear that most Republicans and Northern Democrats had no desire to stand by their vote and were seeking some graceful way out.

The needed formula was supplied by Cannon, who declared that he would present "a resolution authorizing a subcommittee of the Committee on Appropriations, composed of five men who have the confidence of the House, to hear such charges against any employee of the Government, and if the charges are sustained, take immediate action to see that he is promptly separated from the public pay-roll. . . . Every man will have his day in court. There will be no star chamber proceedings" (pp. 747–749).

Taber of New York, who also spoke favorably of giving the accused "a fair and impartial trial," suggested that the House could most effectively attain the final liquidation of those held guilty through a rider on a deficiency appropriation bill. The President could not veto such a measure without depriving numerous agencies of necessary funds. Majority Leader McCormack (p. 751) and Minority Leader Martin (p. 774) both urged acceptance of the Cannon proposal as giving the accused their "day in court." On February 9, the House voted approval, without a roll call, of H. R. 105 by which its Appropriations Committee, acting through a special subcommittee, was "authorized and directed to examine into any and all allegations or charges that certain persons in the employ of the several executive departments and other executive agencies are unfit to

continue in such employment by reason of their present association or membership or past association or membership in or with organizations whose aims or purposes are or have been subversive to the Government of the United States." The House then rejected the Pickens rider, 136 to 267 (p. 795) and voted 302 to 94 (p. 826) to extend the Dies Committee.[2]

The Kerr Committee. The subcommittee named by Chairman Cannon consisted of three Democrats, John H. Kerr of North Carolina (chairman), Clinton P. Anderson of New Mexico, and Albert Gore of Tennessee, and two Republicans, D. Lane Powers of New Jersey and Frank B. Keefe of Wisconsin. Owing to unavoidable delay in the assembling of files from the Dies Committee, the F.B.I., and the Civil Service Commission, it did not summon the first of the accused until April 2, at which time a subcommittee of the Dies Committee was also conducting hearings of some of the accused. The numbered charges with which the Kerr Committee confronted each witness, however, appeared to have been prepared by the Dies Committee prior to these hearings. Judge Kerr summoned witnesses by "invitation," not by subpoena. All sessions were executive. The Committee retained Matt H. Allen as its counsel, but did not permit the attendance of counsel for the accused, or even of observers from the agencies employing the accused.[3] No witnesses other than the accused were called. After the first two were heard, subsequent witnesses were not supplied with copies of the Dies Committee accusations, although the rules of the Kerr Committee envisaged such a procedure. Witnesses were permitted,

[2] Said Cox of Georgia: "This is my resolution. . . . The Dies Committee has done a noble job. They have had magnificent support from the American Legion, the Veterans of Foreign Wars, and the Catholic Church." All members of the Kerr Committee voted to reject the Pickens rider and all except Kerr voted to extend the Dies Committee. Up to the present time, the Dies Committee, originally established in 1938, has received total appropriations of $495,000. In 1941, Congress voted $100,000 and in 1942 $200,000 to the Department of Justice to investigate allegedly subversive federal employees, making a total of $795,000 thus far devoted to investigating "un-American activities," not including regular appropriations to the F.B.I. and the Civil Service Commission. Cf. Robert E. Cushman, "Civil Liberties," in this REVIEW, Feb., 1943.

[3] The rules adopted by the Committee on March 23 appear in the *Congressional Record* for June 2, p. A2963. The statement there made, and repeated on several other occasions by Kerr and Anderson, that the right of counsel was not denied rests upon the contention that "in no case has any accused person demanded counsel." This is true, since all the witnesses knew from the experience of the first witness called that the Committee was opposed to permitting counsel. They therefore refrained from making a request which would prejudice the Committee against them. At the outset of the session of April 2, Mr. Charles Denny, General Counsel of the F.C.C., who was present only as an observer (in which capacity he had been allowed to attend the Dies subcommittee hearing), was excluded on the ground that the Committee had already decided that no observers or attorneys for the accused would be permitted to attend. Cannon's argument (July 3, p. 7202) that the "fairness" of the hearings was demonstrated by the circumstance that "all three men told the Committee they had been treated with every consideration" is of the same order,

however, to submit documentary exhibits for the record and to make general statements as well as to answer questions, so long as the statements did not challenge the basic assumptions of the Dies Committee. On the ground that neither Congress, the Attorney-General, nor the courts had ever defined subversive activity, the Kerr Committee formulated its own definition:

> "Subversive activity in this country derives from conduct intentionally destructive of or inimical to the Government of the United States—that which seeks to undermine its institutions, or to distort its functions, or to impede its projects, or to lessen its efforts, the ultimate end being to overturn it all. Such activity may be open and direct, as by effort to overthrow, or subtle and indirect, as by sabotage."

This definition obviously rests, not upon the character or consequences of overt acts, but upon the assumed subjective motives for such acts. It could readily be applied, by those interested in so doing, to the Republican National Committee in its blasts against the New Deal or to any individual publicly criticizing the status quo. The Supreme Court held in the Schneiderman case, decided June 21, 1943, that even membership in the Communist party is not by itself proof of disloyalty. None of the witnesses before the Kerr Committee was accused of present or past membership in the Communist party, nor of any unlawful conduct at any time. The Committee in practice based its adverse judgments (1) on the past association of the accused with organizations dubbed "Communist-Fronts" by the Dies Committee or the Attorney-General ("These organizations," concedes the Committee in its first report [p. 5], "have not been adjudged by the courts or by Congress as subversive"); (2) on past criticisms in speech or writing of *laissez-faire* capitalism and the profit system; and (3) on past attitudes of approbation toward the Spanish Republic and the U.S.S.R. The Committee referred to "public opinion" as demanding the removal from office of "subversives." It is impossible to ascertain from the record, however, by what logic the Committee concluded that "public opinion," as interpreted by Congressmen, could be made a basis for determining fitness for non-elective office or how its own definition of "subversion" could be applied to the accused. The Committee, moreover, has never made clear what criteria it employed in deciding which of the witnesses should be held "guilty" and which "innocent," since all those exonerated shared attitudes and participated in activities which can scarcely be distinguished either in kind or in degree from those of the three thus far condemned.

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since no witness, when asked this question, wished to risk conviction by giving a negative answer. Judge Kerr's contention (June 15, p. 6013) that "in every case the person invited to appear was advised of the charges which had been made on the floor of the House of Representatives by the gentleman from Texas" is misleading, since the questioning of witnesses before the Kerr Committee was based, not upon Dies' speech of February 1, but upon numbered charges confidentially submitted by the Dies Committee.

The Kerr Committee submitted its first report on April 21 on three employees of the F.C.C., holding that Goodwin B. Watson and William E. Dodd, Jr., were "unfit for the present to continue in government employment," and that in the case of the present writer there was "not sufficient evidence to support a recommendation of unfitness." The second report of May 14 held that Robert Morss Lovett, government secretary of the Virgin Islands, was also unfit "by reason of his association and membership in and with organizations whose aims or purposes have been subversive to the government of the United States," and that in the cases of Arthur E. Goldschmidt and Jack B. Fahy (also of the Interior) there was "not sufficient evidence to support a recommendation of unfitness." In a letter of July 6 to Chairman Cannon, Judge Kerr reported that the Committee would suspend activities until November 15 and that it had not found "sufficient evidence" to hold Marcus Goldman, Nathaniel Weyl, and David Wahl unfit. The only transcripts of hearings thus far published are those of Watson, Dodd, and Lovett, which were belatedly made available after sharp Senatorial criticism of the Committee for the secrecy of its proceedings.[4]

The Committee on Appropriations offered on May 14 as an amendment to the urgent deficiency appropriation bill (H. R. 2714) Section 304:

> "No part of any appropriation, allocation or fund (1) which is made available under or pursuant to this Act, or (2) which is now, or which is hereafter, made available under or pursuant to any other Act, to any department, agency, or instrumentality of the United States, shall be used to pay any part of the salary or other compensation for the personal services of Goodwin B. Watson, William E. Dodd, Jr., and Robert Morss Lovett . . . "

House Versus Senate. This rider precipitated a long battle inside and outside of Congress.[5] It was assailed as a "bill of attainder" by the *Washington Post*, the *New York Times*, and other papers, and was similarily attacked by numerous members of the House, among them Celler, Coffee, Ford, Hobbs (whose learned expositions of the constitutional aspects of the proposal were as brilliant as they were ineffective in influencing his colleagues), Outland, McMurray, and Sadowski. The rider

[4] Cf. 78th Cong., 1st Sess., *House Report No. 448*, and *Hearings . . . on the Fitness for Continuance in Federal Employment of . . . Watson, Dodd, and Lovett* (U. S. Govt. Printing Office, Washington, D. C., 1943). For a brief evaluation of the latter, see "The New Red Network," *The New Republic*, Aug. 2, 1943.

[5] James Lawrence Fly and Harold L. Ickes promptly and vigorously defended their subordinates. Certain other agency heads sought to discharge accused officials even before any hearings were held, or were asked by the Civil Service Commission to take such action. Thus Leonard Emil Mins, of the Office of Strategic Services, was summarily discharged, then reprieved, and finally put on indefinite leave without pay by General William J. Donovan and the Civil Service Commission. More recently (August 4), John Bovingdon, accused by Dies of being a rhythmic dancer with pro-Russian sympathies, was discharged by Leo T. Crowley from his post as economic analyst in the Office of Economic Warfare.

was defended with equal vigor by Anderson, Cannon, Cox, Dies, Dirkson, Keefe, Kerr, Starnes, and Woodrum. On May 18, the House voted 317 to 62 to accept the rider.

The Senate unanimously rejected it. Cannon's motion to insist upon it was passed by the House without a roll-call on June 8 (p. 5602). On June 10, Senator McKellar's motion to insist on rejecting the rider was passed by the upper chamber 69 to 0, after Senators Clark of Missouri, Lucas, Lodge, and Overton had condemned the measure as unconstitutional and un-American. On June 22, the House sent the bill back to conference, where the House conferees refused to recede from their position. The conference report was again in favor of the rider. On June 24 (p. 6094), the Senate again rejected the report, 17 to 52, after a debate in which Senator Millikan asserted that the rider "smells of ancient tombs in which liberty has been buried." The House persisted. The Senate insisted. A further conference report of June 28 (p. 6710) proposed a "compromise," involving the insertion of the date November 15, 1943, for the liquidation of Watson, Dodd, and Lovett "unless prior to such date such person has been appointed by the President, by and with the advice and consent of the Senate," and provided further that the three "subversives" should not be deprived of payment for jury duty or for service in the armed forces nor of "any benefit, pension, or emolument resulting therefrom."

Senator Clark of Missouri objected that the conferees had exceeded their authority by proposing an amendment which was plainly legislative. Vice President Wallace overruled this point of order on the ground that the original rider was also legislation. Senator Barkley termed the procedure "legislative assassination" which "outrages all principles of fair play and democracy as we think we are now fighting to preserve it in the world." The conference report was once more rejected, 31 to 43 (June 29, p. 6819). Another conference report reached the Senate floor that evening, with no change in the "compromise." McKellar, speaking for the Senate conferees, now urged its adoption. In the heated debate which ensued, Clark accused McKellar of flouting the repeatedly expressed will of the Senate; Ferguson declared, "We cannot compromise the Constitution of the United States"; Wheeler urged acceptance of the report and denied that any constitutional question was involved; and Pepper contended that "if Thomas Jefferson had been on the federal pay-roll, he would have been condemned by the Dies Committee and the Kerr Committee as a Communist." The conference report was again rejected, 32 to 35. But tempers were frayed and the opposition was weakening in the face of the House's unshakable resolve to have its way.

On the last day of the fiscal year, the House rejected, 71 to 301, a motion of Marcantonio to recede and concur with the Senate, and then

passed Cannon's motion to insist on its disagreement (June 30, pp. 6945–46). Following still another conference committee report, McKellar quoted from the now published transcript of the hearing and appealed to the Senate not to place the salaries of "three Communists" ahead of those of the Congressional page-boys and of other good people entitled to funds under the bill. For the sixth time, the Senate voted on the issue; and for the first time, the opponents of the rider were in a minority: yeas, 48; nays, 32; not voting, 18. In urging concurrence by the lower chamber, Cannon, Taber, and Wigglesworth expressed confidence that Watson, Dodd, and Lovett would go off the pay-roll on November 15. The plea of Hendricks for insistence on immediate decapitation and the arguments of Rogers, Celler, and Hobbs against the constitutionality of the rider were alike in vain. The conference report was accepted by the House (July 3, pp. 7201–7210).

The Power of the Purse. The constitutional questions here at issue are in dispute because no comparable case has ever been adjudicated in the federal courts. Neither are there any clear precedents in Congressional experience.[6] The chief contention of the supporters of the rider is that there is no property right in public office, and that the action taken is a legitimate exercise of the power to appropriate.

"If Congress has the right to appropriate, Congress by the same token has the right to limit the appropriation (Representative Courtney, Feb. 5). . . . We can lop off the salary of any person as we see fit and particularly are we bound in duty to do this when the loyalty of the person has been questioned (Cannon, Feb. 5). . . . The issue is, do the people want on the public pay-roll those New Dealers, those dreamers, those bureaucrats, those purge-smearers. We are here as a hiring and firing agency. We have the right to say we do not want a certain class of people or certain individuals on the pay-roll. It may be because their hair is red, because they are bald, or because they wear it down over their coat collars. It makes no difference at all . . . " (Hoffman, Feb. 8, pp. 737–8).

The problem here is not that of Congressional control over the purse strings, which no one disputes (Cf. Hart v. United States, 118 U.S. 62), but that of the nature and scope of the limitations imposed by the Constitution on the exercise of this power. That there are such limitations is

[6] But see the cases of Col. John E. Hunt and Maj. Charles C. Cresson, H. R. 7877, 68th Cong., 1st Sess., *Cong. Rec.*, pp. 10, 4744, 5031–36, 5041 f.; J. Ross Eakin, H. R. 4852, 76th Cong., 1st Sess., *ibid.*, pp. 112, 4312 f., 4346 f.; deportation of Harry Bridges, H. R. 9766, 76th Cong., 3rd Sess., *ibid.*, A4155, A4184, 8201 f., and Sen. Rep. 2031, 76th Cong., 1st Sess.; David Lasser, 77th Cong., 1st Sess., *ibid.*, pp. A3186 f., 5227 f., 5263; Goodwin B. Watson (1942), *ibid.*, Senate, May 6, 1942. Only in the case of David Lasser (again named by Dies as one of the subversive 39) did both houses vote a removal from the pay-roll. The House Appropriations Committee decided in 1942 that it had committed an injustice in this instance and moved to repeal its earlier action. Cf. *Cong. Rec.*, pp. 6150, 9783.

plain from the basic principle of the separation of powers.[7] All will agree that Congress cannot withhold the salaries of the President or the Justices of the Supreme Court or make the payment of such salaries contingent upon qualifications not set forth in the Constitution.

"Congress may not, by conditions attached to appropriations, provide for a discharge of the functions of government in a manner not authorized by the Constitution. If such a practice were permissible, Congress could subvert the Constitution. It might make appropriations on condition that the executive department abrogate its functions" (37 Opinions of the Attorney General, 56, 61, 1933).

The Removal of Executive Officials. Does this general limitation preclude the use of the power of appropriation to remove inferior executive officials from office? Through the enactment of general statutes, Congress can unquestionably fix standards for the recruitment of such officials; alter the mode of their appointment (Art. II, sec. 2, cl. 2); terminate entire groups and classes of offices, thereby in effect dismissing their incumbents; abolish particular agencies and offices, as indeed it has done in the case of the post of Robert Morss Lovett (*Cong. Rec.*, July 1, p. 7947); and even fix terms of office which the President is bound to respect (Humphrey's Executor v. United States, 295 U.S. 602). But the question presently posed is whether Congress can remove named individuals from office by special bills to this effect or by depriving them of salary or by requiring, subject to deprivation of salary, that they be reappointed and confirmed in a manner not provided for in existing statutes relating to their posts. Judicial precedents would appear to warrant a negative answer. The Supreme Court has ruled that the power to remove officials from office is by its nature an executive function which the legislature is constitutionally forbidden to exercise, even with regard to officials whose appointments are confirmed by the Senate. Congress may limit and restrict the executive power to remove (United States v. Perkins, 116 U.S. 483), but it can neither abolish this power nor take over its exercise. Thus Chief Justice Taft, in delivering the majority opinion of the court in Myers v. United States, 272 U.S. 52, holding unconstitutional the Tenure of Office Act of 1867, declared:

"The power of removal is incident to the power of appointment, not to the power of advising and consenting to appointment, and when the grant of the executive power is enforced by the express mandate to take care that the laws be faithfully executed, it emphasizes the necessity for including within the executive power as conferred the exclusive power of removal. . . . 'To turn a man out of office is an exercise neither of legislative nor of judicial power' (Oliver Ellsworth). . . . The

[7] James Madison (1 *Annals of Congress*, 581), quoted by Chief Justice Taft in Myers v. United States, 272 U.S. 52: "If there is any principle in our Constitution, indeed in any free Constitution, more sacred than another, it is that which separates the legislative, executive, and judicial powers. If there is any point in which the separation of the legislative and executive powers ought to be maintained with great caution, it is that which relates to officers and offices."

Court never has held, nor reasonably could hold, that the excepting clause (whereby Congress may vest the appointment of inferior officials in the heads of departments) enables Congress to draw to itself, or to either branch of it, the power to remove or the right to participate in the exercise of that power. To do this would be to go beyond the words and implications of that clause and to infringe the constitutional principle of the separation of governmental powers." (Cf. also Morgan v. T.V.A., 115 Fed., 2nd, 990).

The only permissible exception to this rule would seem to be that provided by the Constitution itself (Art. I, sec. 2, cl. 5, and sec. 3, cls. 6–7; Art. II, sec. 4) in providing for legislative removal through "impeachment for and conviction of treason, bribery or other high crimes and misdemeanors." The exception has no present application, since the procedure bears no resemblance to impeachment as prescribed in the Constitution and the accused are not subject to impeachment. No one charges them with any impeachable or justiciable offense. Even in wartime, "subversive activity," however defined, cannot be equated with treason in the present case, for the Constitution (Art. III, sec. 3) defines treason narrowly, and beyond the power of Congress to change, as "levying war against" the United States or "adhering to their enemies, giving them aid and comfort." Watson, Dodd, and Lovett are charged, not with aiding the enemies of the United States, but with supporting its allies too soon and condemning its enemies too early and doing both of these things too much and in bad company.[8]

The Exercise of Judicial Powers. Apart from the power of impeachment and certain powers incidental to lawmaking, Congress is barred by the Constitution from exercising either executive or judicial powers. It can reasonably be contended that in the case under consideration it has sought to infringe upon the judicial, no less than upon the executive, branch. To declare named individuals unfit to serve the United States and to disqualify them from office in time of war on grounds of disloyalty is to deprive them both of their jobs and of their good names. Such a procedure is punishment. And punishment may be inflicted only by courts.

"Any exclusion from any of the professions or any of the ordinary avocations of life for past conduct can be regarded in no other light than as punishment for such conduct." (*Ex parte* Garland, 71 U.S. [4 Wall.] 333.)

"The deprivation of any rights, civil or political, previously enjoyed, may be punishment, the circumstances attending and the causes of the deprivation determining this fact. Disqualification for office may be punishment, as in cases of con-

[8] There was considerable dispute in Congress as to exactly what Watson, Dodd, and Lovett had been found guilty of. Representative Ludlow (July 3, p. 7205) asserted: "These three men have never been found guilty of subversive activities. What the House found them guilty of was anti-American indoctrination. . . . What Judge Kerr's able committee, in which we all have complete confidence, said to these men was: 'We don't like your philosophy and we don't believe that men of your type of thinking should be in the public service of the United States.' That was all. And to that the House agreed."

viction upon impeachment. . . . The theory upon which our political institutions rest is that all men have certain inalienable rights—that among these are life, liberty, and the pursuit of happiness; and that in the pursuit of happiness all avocations, all honors, all positions, are alike open to everyone, and that in the protection of these rights all are equal before the law. Any deprivation or suspension of any of these rights for past conduct is punishment, and can be in no otherwise defined." (Cummings v. Missouri, 71 U.S. [4 Wall.] 277.)

A few of the supporters of the rider denied that the Kerr Committee proceedings were judicial in character, but most of them insisted that such was their nature and purpose. Cannon declared that the function of the Committee was "to authoritatively adjudicate all charges of disloyalty of employees (Feb. 8, p. 748). Said Keefe: "Every action that this Committee has taken up to date has been a judicial action" (May 17, p. 4622). The terminology of litigation was used throughout the debates. It is plain, however, that the procedure was not judicial in form or substance, for there was no indictment, no adequate notice, no witnesses for the accused, no public trial, no jury, no judge, no prosecutor, no defense counsel, and no observance of the rule that the accused shall not be compelled to be witnesses against themselves. Yet had all these safeguards been scrupulously observed, the proceeding would still have lacked the constitutional attributes of legitimate adjudication, for the Congress (save in impeachments, contempt cases, and punishment of its own members) has no judicial power, all of which is vested in the courts (Art. III, sec. 1). Few principles of American public law are better established (Merrill v. Sherburne, 1 N. H. 199) than the principle that a legislature may not exercise powers of trying and punishing individuals. When, as in the present instance, the individuals in question are charged with no violation of law, and are therefore not subject to trial even by the courts, the definitive character of this prohibition can scarcely be open to debate.

Attainder and Ex Post Facto. Finally, Sec. 304 of H.R. 2714 not only poses the question of whether Congress has exceeded the limits of the authority conferred upon it by the Constitution, but also raises the issue of whether the federal legislature has violated specific prohibitions—notably Art. I, sec. 9, cl. 3 ("No bill of attainder or *ex post facto* law shall be passed") and Arts. V and VI of the Bill of Rights.

"The admitted power of Congress to prescribe qualifications for . . . office . . . cannot be exercised as a means for the infliction of punishment for the past conduct of such officers, against the inhibitions of the Constitution." (*Ex parte* Garland 71 U.S. [4 Wall.] 333.)

"A bill of attainder is a legislative act which inflicts punishments without judicial trial. If the punishment be less than death, the act is termed a bill of pains and penalties. In these cases the legislative body, in addition to its legitimate functions, exercises the powers and office of judge; it assumes, in the language of the textbooks, judicial magistracy; it pronounces upon the guilt of the party, without any of the forms or safeguards of trial; it determines the sufficiency of the proofs produced, whether conformable to the rules of evidence or otherwise; and it fixes the degree of

punishment in accordance with its own notions of the enormity of the offense. . . . By an *ex post facto* law is meant one which imposes a punishment for an act which was not punishable at the time it was committed; or imposes additional punishment to that then prescribed; or changes the rules of evidence by which less or different testimony is sufficient to convict than was then required. . . . The Constitution deals with substance, not shadows. . . It intended that the rights of the citizen should be secure against deprivation for past conduct by legislative enactment under any form, however disguised (Cummings v. Missouri, 71 U.S. [4 Wall.] 277). (Cf. also Drehman v. Stifle, 75 U.S. [8 Wall.] 595; Pierce v. Carskadon, 83 U.S. 234; Calder v. Bull, 3 Dallas 386; and Thompson v. Utah, 170 U.S. 843.)

* * *

The candid observer can scarcely escape the conclusion that Congress has here violated basic principles of the Constitution and the Bill of Rights, in the very name of which the Dies and Kerr Committees have sought to purge the federal service of individuals whose past opinions and affiliations are anathema to a majority of the present House of Representatives. That such action should be taken in the midst of life-and-death struggle on a world scale for the very survival of the ideals of personal freedom and of government by law cannot but be profoundly disturbing to all who are sincerely attached to the professed war aims of the United Nations and to the fundamental charter of the American Republic. Fortunately, in a "government of laws and not of men," every wrong has its remedy and the paramount purpose of the Supreme Law of the Land remains what it has always been: "to establish Justice and secure the Blessings of Liberty to ourselves and our Posterity." There can be little question that the wrong here done will be rectified, either by Congressional reconsideration of the issue on appeal of the Chief Executive or, if need be, by carrying the issue to the federal courts through a suit for salaries. The ultimate outcome cannot be in doubt so long as America's political heritage is honored as a guide for the present and a hope for the future.

THE ADMINISTRATION OF PERMANENT REGISTRATION IN PHILADELPHIA

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Permanent registration for Philadelphia voters was instituted in 1937 by a state act applicable to the city exclusively.[1] The administration of the act has been under fire almost continuously since 1938. Criticisms have emanated from the local political parties, the press, and civic organi-

[1] In the same year, substantially similar but separate laws were passed to establish permanent registration in Pittsburgh, Scranton, third-class cities, and boroughs and townships. The principal differences among these acts are in the agencies of administration.

zations. Two governors have appointed investigating committees: Governor Earle in 1938 and Governor James late in 1940. The report of the latter committee was made in June, 1941. Two federal investigations were conducted during the period of the James inquiry. A federal grand jury undertook to determine whether a conspiracy to deprive persons of their right to vote in a national election existed. An abortive investigation was made by the Gillette Elections Committee of the United States Senate following charges of wholesale disfranchisement of Democratic voters.

The Philadelphia registration system is administered by a commission of five members with majority and minority representation, the commissioners being appointed by the governor with senate approval. The charges made against the Commission run the gamut from lax administration to deliberate fraud, although the latter has never been made to stick. The findings of Governor James' committee, whose investigation was the most thorough of any undertaken, show a considerable administrative failure.

The major job of any large registration system is to keep the lists purged of voters whose names no longer belong there because of removal or death. Appreciable numbers of improper registrations constitute a standing invitation to fraud at the polls. All of the recommended devices for correcting registrations are provided for in the Philadelphia system. Deaths must be reported by the registrar of vital statistics. Either on their own initiative or as a result of the activity of party workers, voters who have moved may file removal cards to effect the necessary change. Any elector may petition the Registration Commission to strike off the name of any voter illegally appearing on the records. The commission is empowered to require reports from utilities, real estate agents, and moving concerns. It has authority to canvass the city with a force of its own inspectors, who in appropriate cases may initiate strike-off proceedings. Authorization exists for district or city-wide mail checks by means of post-cards to be returned if not deliverable at the address indicated. A city-wide mail check every four years is mandatory. Cancellation of registration is to follow failure to vote during a four-year period.[2]

Despite the availability of this machinery, established to a considerable extent according to model specifications, the records contain a good deal of what the politicians are fond of calling "padding." The James Committee determined the extent of illegal registrations to be between 9.2 and 11.8 per cent of the total reported registration, or between 100,549 and 128,965 of 1,092,924 registration affidavits.[3]

[2] These latter two provisions had not come into operation at the time the James Committee made its investigation. The city-wide mail check has since been completed. See below.

[3] The method by which these figures were derived is explained later.

Official registers, which determine the right to vote on election day, containing the names of persons not entitled to vote to the extent of approximately ten per cent of the entire list are pregnant with the potentiality of fraudulent voting. One of the accepted tests of a registration system is that it eliminate the possibility of fraud. Clearly this has not resulted in Philadelphia. That the James Committee found no evidence of fraud resulting from the large number of illegal registrations does not refute this conclusion. The committee was not equipped for the difficult task of ferreting out past election frauds; it could make only limited checks and report that, incident to its main inquiry into the administration of the system, no evidence of fraud was uncovered. In this connection, it may be noted that overloading in the registrations from hotels, apartment and lodging houses, and "flop houses" was found. Also, charges that persons were registered from vacant lots and unoccupied dwellings were confirmed in a number of instances.

What accounts for the failure in the crucial task of purging the lists? No serious deficiency exists in the provision of mechanisms to accomplish the elimination of dead wood from the registers. The requirement of cancellation for failure to vote during a four-year interval could be improved by reducing the interval to two years or one. Other improvements are possible. But the present machinery must be judged substantially adequate.

Whatever reasons explain the failure, it cannot be attributed to financial starvation. On the contrary, the expenditures for operating the system are probably excessive. Total appropriations for 1940 were $351,835. Measured against the 1940 official registration figure of 1,092,924, this gives a cost of thirty-two cents per registered voter. The report of the National Municipal League's Committee on Election Administration notes that Milwaukee operates one of the best registration systems in the country at a cost of 12.5 cents, and adds that "any system that costs more than twice that amount is unduly expensive."[4]

The deficiency is neither in the funds nor in the mechanisms available. The vital weakness is in the administrative organization. The mechanics of a sound registration system may be ordained by law, but they will not work themselves. If administrative fundamentals are disregarded, any expectation of results is extravagant logic. Administrative fundamentals have been disregarded since the inception of permanent registration in Philadelphia. Competent personnel and single administrative responsibility and control have never existed.

One of the major findings of the James Committee was that "a five-man commission with administrative powers vested in the commission *as a body* has resulted in confusion in administrative responsibility and

[4] *A Model Registration System;* Report of the Committee on Election Administration, National Municipal League, 1939, p. 9.

supervision, a condition which makes efficiency impossible. Unified direction and single responsibility do not in fact exist, and the office of the chief clerk is not used towards these ends."[5] The assumed necessity for bipartisan representation and the minor quasi-judicial function of deciding registration challenges have obscured the prime fact that operating a system of permanent registration for more than a million voters is essentially an administrative job, and one of considerable proportions. For such a job, a plural administrator is singularly unsuited.

It might be contended that the Commission could and should retire to the field of policy, leaving administration to the chief clerk. But there is no justification for a commission in the first place. Bipartisan representation is always more nominal than real. It has existed in name only in the Philadelphia Registration Commission. Further, the disposition of challenges hardly warrants a plural agency.

The chief clerk, whose duties under the Philadelphia law are undefined, is in fact an office manager, if any generalization of his functions is possible. Nor is there much likelihood that he might be made the administrative head in view of the fact that the members of the Commission are presumed full-time officials receiving $6,000, chosen by a political process, and by law are in effect made a board of administrative managers. This sort of a set-up is correctly appraised by the authors of *A Model Registration System* when they say that "probably the worst organization is to have four or five highly paid, full-time commissioners."[6]

The personnel in the Philadelphia Registration Office, numbering over a hundred employees, is about what may be expected in the absence of effective merit selection. They are largely political appointees, chosen without any substantial bar to unfitness. Lacking a means of thoroughly testing the qualifications of the employees, the James Committee asked all but those engaged in manual work to fill out a questionnaire indicating their education and employment experience. From their own statements, it appears that about forty per cent had no experience that would tend to fit them for the work they were doing. Lack of qualifying experience was most serious among the group responsible for filing, a function so important in a large registration office as to demand technically trained and experienced employees.

The formal education of the whole group of employees is meagre. Out of the one hundred workers not performing manual tasks, thirty-one did not go beyond grammar school and sixty-one had less than a full high school education. Only thirteen attended college, four of these obtaining degrees.

[5] *Report of the Governor's Committee to Investigate the Affairs of the Philadelphia Registration Commission* (Philadelphia, June 2, 1941), p. vii.

[6] *Op. cit.*, p. 38.

Perhaps of more significance than the general description is the correlation of education and experience. The functional groups evidencing the greatest lack of qualifying experience—those engaged in filing, inspection, and general clerical work—show the lowest level of education. Thus the degree of educational qualification, rather than mitigating, tends to reinforce any deficiency arising from lack of experience.

Means were lacking for checking thoroughly statements made by employees concerning their education and employment experience. Such checks as were made indicate that the adverse findings are minimal and that the real situation is probably worse than appears.

The tendency to incompetence indicated by a process of choosing employees which is largely governed by political considerations and which produces a staff of the type here described is not relieved by any effective provision for training on the job. New employees get practically no preliminary training before assuming their duties. There is the inescapable minimum of verbal instruction, but the main reliance is upon casual learning from association with older workers.

The results produced by an organization without single responsible direction and staffed on the principle that any man not fit to be hanged is fit for any public office he can get amply reflect these basic administrative flaws. The main failure in not purging the voting lists has already been recounted. Beyond this are a number of other evidences of maladministration, some of which will be briefly sketched.

In 1938, the report of Governor Earle's investigating committee paid a good deal of attention to the condition of registration affidavits with respect to the entries determining the voter's right to receive assistance at the polls. The report revealed a substantial number of errors in the assistance records. Checks made in the recent investigation showed the continued existence of extensive errors. Although the bad condition of the affidavits was publicized more than three years ago, no effective action was taken to correct the records; and this despite the fact that all affidavits had been examined in the interim for correction of naturalization data, this latter information appearing on the form directly above the assistance data. It would seem that even mediocre management would have taken this opportunity of killing two birds with almost the same stone.

Although the Commission has a force of sixteen inspectors available the year around, no practice exists of canvassing all election districts at least once a year, or even once in two years. A minimum of system prevails in the methods of canvassing, although data are at hand in the registration offices for efficient planning of this work. Inspectors wastefully work in pairs, a practice sought to be justified by the lame contention that a single inspector would be in physical danger in certain sections of

the city. In 1940, the inspection department checked 138,311 residences. Based upon a minimum work-year of 265 days, this is a production rate of 33 per day per inspector. Meter readers for a local gas utility average 160 stops a day in those sections where the work is most time-consuming, 350 per day in sections where it is least so.

Reports from public service companies, moving concerns, and rental agents are not used, although legal authority exists to obtain them. The explanation offered is that a previous commission attempted to use utility reports and found them unworkable. The judgment that they are impractical may very well reflect incompetent personnel and poor system at the time they were tried. The record of the previous commission in other respects certainly does not make this conclusion improbable.

In a system where records must be maintained covering a million voters, the function of filing is of crucial importance. The two principal files of the Philadelphia Registration Office are the general register and the district registers. The former is a master alphabetical file of all duplicate registration affidavits. The district registers are used at the polls and contain the original affidavits for all registrants of a given precinct, filed alphabetically. Despite the obvious mandate for accuracy, these files are subject to no periodic audits. A sample study was made to determine the extent of misfiled items. Within a range of error of two standard deviations, between 1.3 and 3.1 per cent of the affidavits in the district registers were found to be misfiled, and between 2.3 and 4.5 per cent of the affidavits in the general register were found to be so. How substandard this is may be judged from the fact that a Philadelphia concern whose business depends upon an accurate performance of a huge filing task has reduced its error to 0.5 per cent.

What has been said is sufficient testimony to administrative failure, although it is by no means a full recital of the evidence. Clearly, Philadelphia's experience with permanent registration indicates that a system incorporating the main devices laid down as necessary mechanisms for the successful operation of such registration may be undermined by administrative deficiencies not at all inherent in the technical set-up.

Observation of how permanent registration has worked in one metropolitan city affords a limited basis for drawing conclusions. At the least, it raises the fundamental question of whether the theory of permanent registration has not placed relatively too much emphasis upon the procedures and devices appropriate to the technical task of registration, to the relative neglect of the *sina qua non* of any administrative undertaking—effective organization and competent personnel.

There is serious danger in taking these administrative considerations too much for granted and not stressing them to the extent their importance warrants. Bad administration, with recurrent complaint, investigation,

and adverse findings, will give the machine politician the opening he is looking for to secure repeal of the system on the ground that it is unworkable. This attitude is known to prevail among some present members of the Pennsylvania legislature. In the session recently adjourned, the legislature has again refused to write any fundamental administrative reforms into the law.

The 1938 report to Governor Earle recommended, among other things, a revamping of the administrative structure and the institution of merit selection of personnel. This report was fruitful of no changes in the law. The James Committee drafted a bill embodying the legislative proposals of its report, including provisions for a merit system and for making the chairman of the Commission the responsible administrative chief of the organization. This bill the legislature by-passed in favor of another containing some of the amendments sponsored by the Governor's committee, but leaving the fatally defective administrative situation unchanged. The governor signed the bill, ousted four members of the Commission, named new appointees to succeed them, and thereby expressed his hope that a new commission could make the patched-up law operate satisfactorily.

It seems safe to predict that within another two years a new batch of charges will be made alleging disfranchisement and fraud resulting from poor operation of the system. If this happens, it is not improbable that the political leaders will seize the opportunity to proclaim the persistent failure of permanent registration and the conclusion that it is impracticable. They will be happy to have a rationalization on which to return to the old ways which minimize independent voting and assist the machine.

As an appendix to this account of Philadelphia's experience with permanent registration, it may be useful to describe the method employed to determine the amount of dead wood in the voting registers—a method of some interest as a new application of the sampling technique, and because it indicates the possibility of checking the accuracy of records where there is a large number of registrations. The problem was to ascertain how many registrations, out of more than a million, represented cases of voters who had removed or died and whose registrations should have been cancelled, but were not. Each such case would constitute an incorrect or illegal registration. Since the other alternative was a valid registration, the data to be assembled would fall into a binomial distribution. The limits of error, therefore, of any random sample could be determined by the formula $\sigma=\sqrt{pq/n}$, where σ is the standard deviation, p is the percentage of occurrence, q is 1 minus p, and n is the total number of items in the sample.

A representative rather than random sample was much to be preferred. Confidence limits fixed by the range of any chosen number of standard deviations would be more conservative, and the results would have enhanced reliability.

A representative sample would have to take account of the significant variables of the universe under study. In this case, one variable was significant—the frequency with which voters moved in different sections of the city. Improper registrations resulting from deaths, because of their relatively small numbers, could be safely neglected.

Some measure of the frequency of removals was needed. Voting districts with a high rate contribute substantially to the problem of maintaining current records; districts with a low rate, largely home-owning, place virtually no burden on the system. Cases to be included in the sample and investigated in the field must reflect this variable. A pattern of the entire group of registered voters, showing the proportions falling in several classes of frequencies, was necessary to control the make-up of the sample.

Further, it was essential to know the geographic location of cases likely to come within particular classes of frequencies, unless a considerable amount of time and funds were to be wasted in investigating many thousands of cases in order to obtain a fairly small sample of the required pattern.

A means of satisfying these considerations was provided by the data assembled in a housing survey sponsored by the Philadelphia Housing Authority.[7] All dwelling units in the city were classified by duration of occupancy into eight classes of duration. Dividing the city into ten large areas, the survey revealed the percentage of units in each area falling into each of the eight classes. Unpublished data were available showing a similar distribution for the units in each minor block.

In employing this material, the first step was to determine the pattern of the sample in reference to the frequency of removal of voters. By combination, the eight classes of duration of occupancy were reduced to six. Since ward boundaries were observed in defining the ten areas employed in the housing survey, it was possible to determine the number of registered voters in each area. Assuming that the distribution of these voters in respect to frequency of removal would approximately correspond to the known distribution of the dwelling units in the area on the basis of duration of occupancy, the number of voters in each class of duration could be calculated. Combining the results for the ten areas produced the percentage of voters in each class for the entire city, or the pattern required for the sample.

With this established, the next step was to identify particular city blocks where given turnover frequencies might be likely to predominate. The unpublished housing data for every minor block was examined and classified by preponderance of particular categories of occupancy rates. This re-

[7] *Real Property and Low Income Housing Survey*, Philadelphia Housing Authority and the Work Projects Administration of Pennsylvania, 1939.

sulted in spotting a large number of blocks that were good prospects for the six different classes of duration.

Investigators equipped with the most recent street lists of the Registration Commission were sent to these blocks to obtain two sorts of information. They were first to ascertain whether the voter shown on the list as registered still lived at the address indicated, or whether in the alternative he had moved or died. Secondly, they were to find out how long the voter (or if he had removed or died, the present occupant) had lived at the indicated address. This would establish the removal rate for the particular case.

Some 10,000 cases were thus investigated, out of which a sample of 2,259 was assembled in conformity with the previously determined pattern. Entire blocks were used to prevent any biased selection of cases. For this reason, it was not possible to make the sample fit the requirements with exactness. However, a very close correspondence was achieved. In five of the six classes of duration, the difference between the required and the actual percentage was half a point or less; in the sixth class, it was 1.15.

The 2,259 cases were checked against the official voting registers to determine the number of correct and incorrect registrations. Cases where electors had moved or died and the voting affidavits had not been removed from the district binder totaled 238, or 10.5 per cent of the sample. Limits of error were then derived by use of the formula stated above. Employing two standard deviations, the percentage of voting affidavits improperly in the registers was found to be between 9.2 and 11.8. This signifies a probability of 21 to 1 that the true percentage falls within these limits. The probability is doubtless greater than this ratio indicates, because the formula applies to a random sample, whereas the sample used was representative.

INTERNATIONAL AFFAIRS: PROBLEMS OF POST-WAR RECONSTRUCTION

A BASIC CONDITION OF INTERNATIONAL RECONSTRUCTION: FREEDOM OF OPINION AND PRESS

COUNT CARLO SFORZA
New York City

I

Distinguished American and foreign scholars are studying in this symposium various aspects of the weighty problem of international reconstruction. All of the other writers have chosen problems that are essentially political, and on that account it has seemed to me appropriate that I discuss a topic of a more broadly moral nature, i.e., the issue of freedom of opinion and press in the world of tomorrow. The fact that I have spent my life in diplomacy and politics may make up for my lack of personal importance if I can demonstrate that cynics and profiteers will prevail in politics unless we comprehend that in any sphere of international relations only those solutions will be adequate that are grounded upon the most complete security of opinion and press.

II

Exiled pretenders to thrones nearly always exhibit a liberalism both promising and reassuring. But this was not true in the case of Prince Victor-Napoleon, whom I knew quite well because of his ties with Italy—ties that consisted more in his vast estates in the Po valley than in his dynastic alliances. Faithful to the princely rule according to which the son has to affect views different from those of his father, Prince Victor was a dyed-in-the-wool conservative. His father had acquired a well-known reputation for liberalism (or even Jacobinism?) during the Second Empire—and afterwards. But Prince Victor-Napoleon had assumed the habit of speaking to me in frankness. And I did not doubt for a moment his sincerity on that evening when, listening under plane trees to an open air concert in Constantinople, he made the following remark on the founder of his family: "There is one thing about the Emperor (like all the Bonapartes, he said "Emperor" only when referring to the first; the one of December 2, he called Napoleon III) which is more inexplicable to me than anything else: that with his wonderful perspicacity, with his mistrust of men, whether flatterers or not, he should have attributed so much importance, at a certain moment, to the manifestation of lyrical enthusiasm of which he read summaries. Had he forgotten that newspapers, prefects, orators, and poets spoke on command—on his own

command? For my part," continued Prince Victor, "I have no doubt whatsoever that if the *Débats*, for example, had remained the *Débats* instead of being reduced to the *Journal de l'Empire*, the two or three capital mistakes of the Emperor could have been avoided."

It is, above all, his ideas about the press that characterize Napoleon among the dictators of the past, and make him most resemble the Hitler's and Mussolini's. Before him, and for two generations after him, the absolute governments of the old type muzzled the press with an official censorship honestly admitted. Imperial Austria had thus acted in Italy from 1816 to 1859. Napoleon, precursor of what one sees in Fascism in half of Europe, invented something better when he wrote to Fouché: "I do not believe in having only one newspaper, but I should like to have an organization without censorship, because I do not wish to be responsible for everything they might say. I desire that the staff of the retained newspapers be devoted men who have enough sense not to publish news contrary to the nation. The attitude of these newspapers would have to be managed in such a way as to attack England in her customs, usages, her literature, her Constitution. . . . "

As one can see from this, even the imposed hatreds were already totalitarian. Everything English had to be abominated, even English literature. This may perhaps be the reason why Napoleon liked among the English writers, in fact, only one false author: Ossian and his poetry.

Examining the Napoleonic adventure in the light of what the totalitarian régimes have forced us to see in our own days, we realize much better than the Michelet's and Hugo's one thing: what disaster it was for France and for her master, as well as for world peace, that the period of the Consulate and Empire completely lacked freedom of opinion, so that even a Chateaubriand was suspected as a precursor of the "Reds" of Neville Chamberlain's era.

Every day, Napoleon found enough time to glance through the Parisian newspapers which were placed on a corner of his desk in his study in the Tuilleries. These papers also included a *Corriere d'Italia*, about which Napoleon asked one day how it could be sent into Italy to fool the Italians just as the French sheets troubled and tricked the French. This "realistic" genius had his naïvetés: to believe that a journal edited a thousand miles on the other side of the Alps would meet the needs of a people in whose environment it was neither written nor planned. Napoleon read the newspapers only in order to watch whether they had a good influence "on the public spirit in relation to political opinions," as he wrote to Ripault, his personal librarian. He never considered that it might be useful for him to hear there the echo of the hopes, needs, and anxieties of his subjects.

"I intend that the newspapers serve the Government, and be not against it" (sic), he once wrote to Fouché. As his distant descendant,

Victor-Napoleon recognized in a conversation with me in exile, it is possible that the newspapers of the Empire believed they were "serving the government." But it is certain that with their baseness and flattery they betrayed the supreme interests of France which, then as now, were those of European peace. One day—too late alas—the same thing will be said of those Italian sheets which for years preached, as an infallible recipe for the greatness of their country, the hatred of a people so close to them as the French.

Later on, at St. Helena, Napoleon dictated the following words, when speaking of public opinion: "It is an invisible and mysterious power which nothing can resist; nothing is more mobile, more vague, and stronger; and however capricious it may be, it is nevertheless true, reasonable, and just more often than one thinks." As a statement, this is very precise, but it has no value in justifying the honor of the man who spoke in this way. The cemeteries of the history of political literature are full of declarations of statesmen who, when removed from power forever, show a perspicacity and generosity of which they never exhibited (other than by empty words) the slightest proof as long as they could have acted otherwise.

Let us look at the tragedy of 1914. Those who knew well imperial Austria and the two castes that ruled her, the feudal and the bureaucratic, will readily admit that the absolute lack of a free public opinion in Austria and, to a lesser extent in Hungary, was one of the main conditions that made possible, with the declaration of war on Serbia, the outbreak of the European conflagration. The rulers of Austria did their job: in proclaiming their intention of safeguarding the secular character of the Empire—perhaps without realizing that they thought only of themselves—the feudal caste protected its fiefs and *majorats*, while the bureaucratic caste looked after its positions and monopolies. From the moment when European war seemed inevitable, these groups could have been stopped only by the pressure of public opinion—opinion of millions of men and women who did not feel the slightest hatred toward their Slav neighbors. But what could these men do, what did they know, destined as they were to perish in the Carpathians and Alps if the great war came? No paper, not one, had informed and enlightened them. There was, to be sure, in Austria, as in Germany, an apparently advanced degree of freedom of the press. But this freedom was never practiced in the domain reserved for the rulers—foreign policy. The word with which the Austrian press, even on the Left, used to designate the circles who decided on peace and war was revealing: *die massgebenden Kreise*—"the circles which lead us." If there had existed in the Habsburg Empire free and independent voices as in England, France, and Italy, instead of the *Zeit*, *Neue Freie Presse*, and even *Arbeiter-Zeitung*, so respectful of the powerful despite its Marxist creed, the great crime would perhaps have been avoided.

With regard to the responsibility of the Austrian rulers in 1914, I have related elsewhere how the Vienna government made pressing and secret inquiries of the Rome cabinet as early as August, 1913, in order to obtain its consent to an immediate war against Serbia without the slightest pretext. These representations prove that the assassination of Archduke Francis Ferdinand in Sarajevo a year later was only a fortunate occasion for the rulers of Austria. The Italian Prime Minister Giolitti told me, late in life, of his indignant protest against the Austrian project, and added: "I should certainly never have made myself an accomplice of such a crime, in spite of all the advantages which our ally of the Triple Alliance dangled before my eyes. But on an occasion such as that I was happy to think that anyone would have had to conduct himself in the same way, if only for fear of public opinion. In a case of this sort, one realizes that a free press like the Italian compensates for all the little troubles that it provokes, and which we ministers complain about in the course of our daily administration."

In 1939, the first cannon shots, the first sinkings of neutral ships, the first bombardments of open cities in Poland and Finland, were preceded by a long undeclared war cunningly carried on in France and England under the cover of an ideological campaign. It was a peace-time war in which the fear of Communism—which can be combatted only by liberty—misled even Frenchmen, who on any other occasion would have been horrified at the idea of collaboration with those who had only one supreme aim: to destroy France. However, these wars of interest-ridden ideologies have nothing in common with the free clashes of ideas, and are, in fact, their antithesis. The struggle of ideologies, as the totalitarian régimes have carried it to the point of monstrously technical perfection, is only one of the first acts of the war of bombs and gas in which the horrible face of Gorgon is covered by the equally repugnant mask of the *agent provocateur*, the traitor.

Quite different is the form which the conflict of opinions can take in the interest of peace, in an atmosphere of liberty, even for an action which a government may prepare in secrecy. I shall cite a technical illustration.

In diplomatic negotiations, one of the most common errors is to see only the cause of one's own government. This may produce no trouble if the disputes are of a kind not to inflame opinions: delimitation of frontiers in distant colonies, navigation or labor conventions, etc. But as soon as psychological elements are involved, one must never forget the sentiments of the people who, mute or not, stand behind the governments that negotiate. The perfect treaty is one in which the reasons of discontent have been halved in two nearly equal parts. Such a treaty has assurance of enduring. To be even more certain of its duration, one has to be willing to have the public opinion of both countries brought to

bear upon its origin and importance in an extensive and unhampered manner. Understanding is nearly tantamount to approval.

May I be permitted to cite here a recollection of diplomatic negotiations which I directed? In at least two discussions with Eastern European governments, I had arrived finally at the point where I was sure that all my demands would be met. Being isolated, these governments had to give in to the will of Italy. In that very moment—and not a minute sooner—I let it be known outside of the normal diplomatic channels that on the point at issue I was prepared to reduce the scope of my demands, but under a condition which I communicated solely to the head of the government with which I negotiated: that the principal newspapers of his country should explain in articles not officially inspired that the demands of Italy were just, and that it was honorable, dignified, and in the long run profitable, to satisfy them. Italy had no cause for complaint of that method; in certain countries, its results have long been felt. Naturally, in order to do that, one has to be the opposite of a demagogical dictator feverishly in search of the slightest success. One has, in a word, to think more of one's country than of one's self, and one must never forget what incomparable value the slow and sure development of free public opinion can have for the future of the relations between two countries, in view of the sterility of old hatreds and suspicions.

Let us imagine for a moment what the psychological and diplomatic labors of the birth and growth of the Franco-British *Entente Cordiale* would have amounted to if the two countries had not possessed a free and powerful press upon which to rely. The efforts of a Lansdowne and a Delcassé, of a Paul Cambon and a Crowe, would have been frustrated for a long time by the barriers of old words of the Napoleonic period against "perfide Albion" on the one side, and by Puritan and insular prejudices of so many average Englishmen of that time on the other side.

Likewise, when Visconti-Venosta and Prinetti, Barrère, and Tornielli worked with so much loyalty to dissipate the old misunderstandings between France and Italy, what could they have achieved, other than some meager diplomatic convention, if great newspapers like the *Corriere della Sera*, the moral independence of which was held up as an example all over the world, had not considered it their sacred duty to work for the restoration of a friendly understanding between the two countries?

I have mentioned the *Corriere della Sera*, and I have not exaggerated. In 1927, the need of living in freedom compelled me to accept invitations from great American universities and the Carnegie Endowment for International Peace. The famous Ochs, who had raised the *New York Times* to such a high degree of technical perfection and international reputation, found himself once obliged to address a little speech to me at a journal-

ists' dinner offered me in New York. After the habitual and obligatory compliments, he said: "What I salute in you is the collaborator of the *Corriere della Sera* and what it has represented in Italy and in the whole world: a newspaper which constituted, until it was taken away from your friend Albertini by force, one of the most amazing achievements of our time, based on an integrity which honored our profession in the whole world."

I have told this anecdote because I should like to add something. Certain French political writers are in no doubt about the bad service they render to France—as to truth—when they insinuate that the re-establishment of friendship, and even trust, between their country and Italy, after the stormy period of Crispi, was facilitated by the "shower of gold" which Ambassador Barrère poured into the Italian press. The press of free Italy was one of the most honest in the world. Prince Bulow found this out only too well when, early in 1915, he could bribe, in spite of immense funds put at his disposal by Berlin, only some poor sheets which no one read, and which were read even less when they accommodated themselves to a Germanophile tendency. One has to look on a higher and healthier plane for the services which a diplomat like Barrère rendered to the cause of France in Italy. If he was able to defend so well the cause of France during the twenty years of his fruitful ambassadorship in the Farnese Palace, it was only because he loved, understood, and respected the free Italian atmosphere.

The free public opinion of a country constitutes the happiest force for a statesman if he succeeds in gaining the confidence of his people. During his years of struggle against Austria, then the strongest power on the Continent, Cavour used to say: "I never feel as sure as when Parliament is open." But—that was Cavour.

A new phenomenon has appeared in the Europe which is divided into the two closed worlds of freedom and totalitarianism, a phenomenon which did not exist when the place of the totalitarian régimes was held by the absolute monarchies. The latter could have all the defects in the world; but they were what they were, and proud of it. They had contempt for the criticisms as well as the eulogies coming from public opinion ruled by that "satanical license called liberty," as one of their authors, Donoso Cortés wrote. The contrary is true of the totalitarian régimes. Notwithstanding their territorial conquests and in spite of the fear which they inspire, they are most concerned about what the rest of the world thinks of them. The avalanche of corrupters and traitors which Fascism and the Third Reich created in, and despatched to, England and France in 1937–40 was mainly aimed, to be sure, at deceiving the two nations, and at sowing discord between them, especially in the direction of France. However, another element was involved—a passionate interest in being able

to provoke a few lines of praise in a genuinely free French or English publication. No régime is more sensitive to the opinion of free countries than is a dictatorship. In attaching so much importance to foreign judgments, the dictatorships merely evidence a natural fact: every political enterprise feels confident of itself only when it believes itself to have the support of a large and free public opinion. In the interior of the dictatorial prison, no opinion will be considered as free by anyone; therefore the eagerness for judgments from the outside—the only ones of any value. It would almost be touching and pathetic, if it were not humiliating from a national point of view, to see how régimes which keep on repeating *ad infinitum* the words "empire" and "imperial" seize upon the pettiest shred of praise uttered by a tourist from Denmark or Guatemala, and require its complete reproduction by their press. The chiefs of a totalitarian régime know full well that praise, spontaneous though from afar—and also paid for, as meagerly as possible—is worth more than the daily orchestra of a great yet enslaved press.

Here again, Napoleon has become timely because of methods bearing analogy to those of the totalitarians of today. Like them, Napoleon wanted to make believe that there was no censorship under his régime. In January, 1806, he had the following published in the *Moniteur:* "There is no censorship in France. Freedom of the press is the first conquest of the century. The Emperor wishes it to be preserved." In reality, he censored not only the papers, but even their names. One day he wrote to one of his underlings: "*Journal des Débats, Lois du pouvoir exécutif, Actes du Gouvernement* are names too reminiscent of the Revolution. The *Gazette de France* is an excellent name; that of *Journal de Paris* is also acceptable . . . " Napoleon never ceased writing virulent letters to his ministers of police, complaining about the "stupid newspapers" whose editors and writers were all, in his opinion, "quite imbecile" or "too stupid." In all probability, they were not so stupid; yet what could they do when they were receiving, one after another, admonitions of this kind? For Rome: "Not to speak of it in either good or bad terms." For Poland: "Never to mention the word Poland." It never occurred to Napoleon that if his newspapers were imbecile, it was he who made them so.

The totalitarians have had an advantage which Napoleon lacked. For the papers of enemy countries, he always remained "the ogre of Corsica." Those among the totalitarians, on the other hand, who have made themselves appear to be fighters against Bolshevism have succeeded in capturing strong sympathies among the possessing classes of all countries. The grave errors which these classes committed was the failure to understand that Bolshevism can be fought effectively only by its antithesis: freedom.

Before turning to what freedom of opinion and press could accomplish

in the Europe of tomorrow, I should like to say a word about a complaint often lodged against the press, even in circles attached to liberty. It is a pity, one often hears, that the press hinders and compromises, through its indiscretions, important diplomatic negotiations.

In 1918, too much was said about open diplomacy. The aims of a foreign policy must be clear, and clearly discussed. But it is in the interest of peace and understanding among nations that diplomatic transactions retain as long as possible—while negotiations are being carried on—a confidential character. This, and this alone, prevents points of honor and sterile questions of prestige from being raised every moment.

The same is true of the internal policy of parties. The most crystalline of American statesmen of the great Revolutionary period, Jefferson, admitted it candidly when he wrote: "We desire to go faster, but we mark our steps in order not to separate ourselves from our more timorous colleagues; this harmony of the ardent and the prudent permits us to preserve a united and compact mass."

All this is not useful and true unless the ardent as well as the timorous newspapers continue to say all they think and all they know. Their business is to inform; they have to perform it. When a statesman declares that he cannot divulge all as yet, his past speaks for him; and one has, or has not, confidence in him. A newspaper that keeps silent makes believe that nothing exists which it does not mention. It deceives.

One of the most charming inventions of the optimistic eighteenth century was that of a wise and philosophical China, a model held up to our crude régimes of the West. One of the Chinese legends of the literary France of Voltaire had it that the great public officials of the Middle Kingdom were divided into two classes: the Mandarins who *sign* and the Mandarins who *think*. Changing slightly the names of the two classes, there would be no harm—it might even be very advantageous—in having at the side of the Mandarins who *decide* the Mandarins who *stimulate thinking*, i.e., writers and free journalists, as their recognized honest and valuable collaborators.

This collaboration of free and widespread discussion with the work of those who will have to reconstitute a Europe less anarchical than that which rendered possible two atrocious wars from 1914 to 1939 seems to me the more necessary as the lack of comprehension among peoples will have increased.

Even before the two wars, even before the totalitarian dictatorships, ditches had been dug between the peoples; one doubted at times the driving forces behind the material progress in the nineteenth century. Why had the abysses between the nationalities been less profound throughout the period of Christianity, in so far as this word had a living meaning, than in our own days? Is it possible that press and radio, apparently

bringing the peoples closer together, have made them more conscious of their differences? To be sure, words are like pieces of silver; their value changes beyond the frontiers. A man in public life, if spoken of sympathetically in London, is called "distinguished," while in Paris he is referred to as being "*éminent.*" How do we know that it is the same thing? And how know what is the same in the exuberant description of a Provençal or Neapolitan and in the four words of a Picard or a Piedmontese? How know that the circumspect "perhaps" of a Quaker pledges him more than the "certainly" of a Marseillais? And how realize, e.g., in Germany, that a calm and serene speech which a French government broadcasts over the radio from its office to its countrymen contains more far-reaching decision than the violent shouting of Hitler before ten thousand young Nazis in hysterical trance? The question may be raised whether all these differences spread by the radios of the whole world do not enhance the mutual incomprehensions of one country toward another.

Fortunately, however, the problem of radio is infinitely less vital and decisive than that of the press and its freedom. The camel-driver who removes a piece of paper from the path along which his caravan is about to pass, fearing that it may carry the imprint of a word of divine wisdom, seems to me to be nearer human perfectibility than the technicians of genius who have invented so many marvelous gadgets for the elimination of distance. It is true that innate and subtle journalists like Wickham Steed have confessed to intellectual joy when speaking over the radio, as well as to confidence in its beneficial influence. But the opinion of the humble seems to be better proof in this case than that of the talented. In Italy and France, for example,—in contrast to the United States—people listen to the radio only in moments of grave tension in order to get the real "news"; they have no use for the commentaries, and say: "One cannot reflect about it yet." This response recalls the reply of a major poet, Manzoni, to a question about the essence of genius: "*Pensarci su,*"—think about it—was the answer of the author of *Promessi Sposi.* No, the radio—precious for news, pernicious for false news—does not seem to me to have the ability of acquiring a real force in creating currents of ideas. It has all the defects of eloquence as compared with thought, without the enthralling fascination which direct eloquence can exercise over the masses.

Only the action of a free press can deeply impress the mind. Only the action of the written word will constitute an essential problem of the peace of tomorrow. Since freedom of opinion is one of the surest safeguards of peace, how guarantee it, how organize it?

This problem would have imposed itself as one of the most pressing upon the moral future of Europe even without the war which Germany has let loose against the world. The proof of the weakness or shortsighted-

ness of the democratic governments after Versailles is that they did not realize it. After what the Russian Marxists call "technological progress" —aviation, radio, communications on land, mass production—one thing is certain: that our political institutions have all become desperately archaic; that they need a complete remaking; and that it matters little whether this remaking will entail sacrificing some dogmas of ancient economic liberalism. What matters above all is that a new economic life, socialized or not, destroy not individual liberty, the Rights of Man. The results of the divorce of inventions and human reason can well be seen in Germany. Technology can supply the masters of Germany with new weapons against the West. However, we clearly are aware that any scientific or moral thinking is dead there; that we are faced with savages who know how to organize laboratories of poison gas and magnetic mines.

At the end of the eighteenth century, the declaration of the Rights of Man appeared as a supreme necessity of defense against some Tories in the United States and some nobles in France. The protection of these rights will be even more imperative tomorrow—if the war is going to end at all in time not to make us fear for the survival of *homo sapiens*. The states or federations of states which will have to continue, after the war, the defense of European civilization will have grown very strong, with their social and economic organizations embracing all branches of life. Only the certainty of free individualist criticism will remove the danger of a society as stupefying as the Fascist or Nazi adventures—even if more normal and less corrupting.

How obtain and safeguard the necessary guarantees of freedom of opinion in the world of tomorrow? Nothing would be as easy as to draw up plans divided into articles and paragraphs; for nothing is easier to write than a constitution. But the game would be in vain. Human liberty is a constant experience of relative values—work renewed in each generation in order to assure, on the one hand, the life of a state worthy of that name, and in order to guarantee the citizens, on the other hand, full autonomy and expression of thought. "The liberty of our sentiments," Benedetto Croce writes, "and of the truths we think, our faith and our ideals—this is our work for the state; this is liberty. The belief that this liberty does not serve the state is equivalent to the supposition that the blood which circulates in our veins is in illegal agitation against the calm sovereign of our organism."[1]

III

Lord Balfour once declared that English free institutions and the individual liberty which they defend are the "life-blood" of the British Empire. If he could have seen what happened in the post-war totalitarian

[1] Croce, *Orientamenti* (Milan, 1935), p. 15.

régimes, he would have asserted that free opinion and a free press are at least as necessary as the formal respect for the desires of a parliament. In the first years of Fascism in Italy, one could believe that certain liberties still persisted. Some of us, for example, expressed very severe criticisms in addresses before the houses of Parliament. Why were we allowed to speak? Because the press had been muzzled, and even Parliament becomes an organ without life if the press is not there, conscious of its duties and free in its means of polemic. "Conscious of its duties," I just said. Wickham Steed remarks with complete justice in his book, *The Press*, that the sins of omission of the press can be as grave as the active sins. For them, too, the famous passage of the Anglican confession holds true: "We have done that which we ought not to have done, and have left undone that which we ought to have done; and there is no health in us."

European civilization is on the rim of an abyss. What has happened in Germany, in Russia, and in the countries in which a millenary humanistic refinement seemed to be fused with the very essence of the people, proves that the signs of the Christian transformation are, more than was assumed, only skin-deep. If literature and the newspapers should have to speak only on orders, the long night of the period of Attila would probably fall quite rapidly over Europe. By contrast, it suffices that literature and newspapers live, although, as often, in an environment fraught with difficulties; for there can be no true written political thought which is against the democracies and against peace. The rare intellectuals who put themselves at the service of adventurers of war and of hatred know well, deep in their hearts that they sign their death warrants. Only the freedom of opinion and press can save human liberty and safeguard the peace of tomorrow.

As to the European union after the war, all the plans that one reads, particularly in the English press, leave one skeptical. How can one help smiling when Hellenists and novelists—though famous—carry on their battles, *more anglio*, in letters to the *Times* in order to establish whether Germany should, or should not, be admitted into the new "federal union"; and even a Germany under the dictatorship of the old military caste which would guarantee a new "moral order," cooked up *à la prussienne*? Other voices repeat the half-hypocritical and half-cowardly phrase heard before the fourth division of Poland: "After all, the peoples have the right to choose the régime which they prefer," shutting their eyes, of course, to the fact that these régimes were established everywhere by force. It is, in fact, *Martine* in Molière who would enter the domain of public law with her famous words: "And if I like to be beaten?"

On the morrow of the last war, the Covenant dared to declare that the League of Nations could only be an association of nations "which govern themselves freely." However, the interpreters of the Pact, quickly re-

penting such audacity, soon reduced the initial formula to nothing. The results could be seen; the pitiable history of the League of Nations, as it vegetated in Geneva, is nothing but a history of the intrigues and betrayals by the dictatorial states remaining in the League for one purpose alone—to ridicule it first, and kill it later. But we must realize that technically it is not easy to say what is a free régime. Hitler and other dictators have boasted of impressive plebiscites. Unhappy Poland never ceased to possess a parliament, even when the gang of "colonels" in power ruled the country contrary to the will and the interests of the entire nation—which pays today, under the insolent yoke of the Germans, for the error or weakness of not having revolted against a régime of corruption, incompetence, and, essentially, treason. The proof to be asked of régimes which tomorrow will have interest—be it even only economic—in joining a union of free peoples in Europe can only be this: absolute liberty of the press, and circulation, without limitation or censorship, of foreign newspapers. Whoever has seen in Italy and Germany, as I have seen, the feverish search, defying all sorts of threats and dangers, for free and documented newspapers from London or Paris, from Toulouse or Basle, knows what this means. Whatever it be, a régime in which a free press can live and circulate is a régime which does not compromise nor debase human dignity.

IV

The pass-word for entrance into the world of the future, which will no longer be anarchical but strongly organized, will have to be found on this path. There, too, reasons for hope may be found even for countries in which freedom has least historical rootage, e.g., Germany. May I be permitted to close with an optimistic argument drawn from the American "melting pot?"

The proof that everything comes from education, and nothing from "race," is provided by the numerous Christian sects, mostly of German origin, which proclaim the doctrine of non-resistance. Mennonites, New Mennonites, Dunkers, Brethren in Christ, Briuserites, Yorkers, Amish—all descend from the old Anabaptists of the Rhine shores: largely German, though to some extent of Swiss and Dutch origin. All sing the same German hymns, and in spite of differences about the form of baptism, or whether to have churches or not, all believe in non-resistance. Even today, if one of our automobiles damages, in Lancaster county, the cart of an Amish farmer, he will refuse to demand an indemnity. It was a Pennsylvania group of German origin which formulated the following declaration of faith on March 21, 1917, in the middle of a war unleashed by the Vaterland: "We believe in Father, Son, and Holy Ghost," and after four other "We believe's" the following: "We believe in the non-conformity of the world, and in the doctrine of non-resistance in a qualified sense; that it is

not the Christian's privilege to take up the sword or fight with carnal weapons . . . "

The Germans of Pennsylvania were transformed by freedom.

Liberty alone—including the first of the liberties, that of opinion and press—will be able to make an end of the pretexts of war and of race hatreds in this world.

UNIVERSALISM VERSUS REGIONALISM IN INTERNATIONAL ORGANIZATION

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One of the issues likely to become more acute than many others as we move into the period of post-war international reorganization in the next few months is that of regionalism versus universalism. This is the conflict between the view that international organization should proceed upon a regional basis—leaving definition of the proper region or regions aside for the moment—and the view that it should proceed upon a world-wide basis. The partisans of these two views are vigorous in their support, and the problem in itself is extremely important from both a theoretical and a practical standpoint. It has so far not received anything like the attention it deserves.[1]

The problem is, of course, not unknown in the national and local spheres of government.[2] Here it is formulated as the question of the proper area of government, or even the ideal size of the state, and this slightly different formulation carries its own implication concerning the treatment of the problem. The issue also arises on the border-line between national and international political problems when the formation of federal unions is

[1] There is no good comprehensive monographic study of regionalism in English. A monumental doctoral thesis on *Regionalism in Relation to the League of Nations*, by Robert Blum, written in 1936, lies in manuscript in the library of the University of California, and a somewhat more limited manuscript on *Regional Understandings*, written by Miss Bessie Randolph, and dated 1926, is in the Harvard Library. Probably the best fragmentary treatment of the subject is to be found in Dr. E. Ranshofen-Wertheimer, *Victory Is Not Enough* (New York, 1942), pp. 185, 283–91. See also A. Brecht, "Limited-Purpose Federations," *Social Research*, Vol. X, No. 2 (May, 1943), p. 135. In French, see J. R. de Orúe y Arregúi, "Le Régionalisme dans l'Organisation Internationale," in Académie de Droit International, *Receuil des Cours*, Vol. 53 (Paris, 1936), p. 1.

Brief notice of the question is taken by the present writer in *Which Way America?*, University of Wisconsin symposium on post-war planning and adjustment, to be published during the coming winter. He has drawn on that discussion for various elements incorporated herein. He would like to take this opportunity to thank Dr. Ranshofen-Wertheimer for very useful criticism of the present article in draft form.

[2] J. W. Garner, *Political Science and Government* (New York, 1928), p. 77.

under consideration, together with the question of the proper allocation of powers to the central government. We shall later draw upon experience in all of these matters for aid in solving our own problem.

The formulation of the problem indicated in the title of this paper itself involves a slight exaggeration and a slight distortion. It is not absolutely necessary that the two ideas of regionalism and universalism should clash or come into sharp conflict. Their reconciliation constitutes the main task of this paper, however, and must be postponed for the moment. It is certainly true, moreover, that in current discussion the two doctrines usually are put forward by their advocates as though they were rival and irreconcilable principles. Just how far this is the case will appear later.

The universalist picture of international organization seems, at first glance, to be in part a result of hasty, superficial, and to some extent sentimental reactions. International coöperation, and even institutional organization, is needed today, and there are national states all over the world. From this combination of facts it is instinctively concluded that world-wide international organization is needed. Sometimes to this oversimplified reasoning is added a sentimental or emotional impulse which is just as hasty in its operation and far more urgent. In its inception, the universal view is uncritical and somewhat arbitrary.

The regionalist view pretends to great realism and hard common sense.[3] Territorial propinquity counts for a great deal in interstate relations, interstate coöperation, and interstate organization. States and peoples living at great distances from one another—often, as a result of this factor, of different race, religion, economic conditions, and general culture patterns—cannot understand or appreciate one another properly. They cannot, even if they could summon up sufficient perception or imagination for this feat, act effectively at great distances from their home bases. For these two reasons above all others, the regionalist opposes a superficial and ineffective universalism.

The regionalist criticism of superficial universalism is salutary. The idea that all nations, just because they are independent, are substantially alike is, of course, pitifully naive. The rather artificial and abstract internationalism of the pacifist and (strange combination) the lawyer has long merited correction on realistic grounds. A similar correction might seem to be overdue for those who likewise try to over-simplify the international scene on ideological lines: it is not clear that "democracy" means the same thing in Iowa, Yorkshire, Moscow, and Szechuan.

On the other hand, the regionalist is not without his little naivetés also. States and peoples are not necessarily alike because they live next to one another, and though the regionalist doctrine could make room for this fact,

[3] Ranshofen-Wertheimer, pp. 283–284.

the regionalist advocate too often overlooks it. Just as two or more nations widely separated on the surface of the globe may, as a result of special circumstances—and in this increasingly small world such exceptions may be all the more important—have very similar interests. Not all of the over-simplifying and superficial theorizing is on one side in this controversy.

It is time, however, for an attempt at greater precision and analysis before we press the principle of regionalism any further. Just exactly what is involved in this (today) very popular concept?

The basic idea of the regionalist is that the conditions obtaining in any particular area on the earth's surface tend to give to the nations located there a certain community of interest. The geometrical element in this conception should not be pressed too hard: we must not think precisely of conditions round about any certain definite point on the earth's surface, and we must admit that the extent of the area in question may vary. Nevertheless, the regionalist aspect of the general geo-political philosophy or doctrine is reasonably clear. And—the doctrine continues—community of interests leads, and should lead, to distinct and separate international organization.

One must admit that, within limits, this view is reasonably sound. To the above principle, there can be little or no demurrer. The value of regional or area studies in the field of international relations has long been recognized and is being justly exploited today by many groups studying both immediate and long-run post-war problems. So far, so good.

It is, however, entirely legitimate to ask the regionalist how big a region he is talking about. Without pressing the matter unreasonably, we may still point out that there must be some limits to a region if it is not in turn going to become the whole world again. And are considerations of mere distance, or considerations of topography, or cultural considerations (including railroad, steamship, aërial, electrical, etc., communications) going to be taken into account? Or is the matter wholly subjective, so that a "region" is whatever area the peoples living in a given part of the world like to think is a region? The latter test is dangerously vague, the objective tests are virtually non-existent.

It may, perhaps, be interpolated here that even if the regionalist has, as he does have, a good deal of hard fact to back him up, he is, in so far as he opposes wider international union, the exponent of a view or a mental attitude which is fading out rather than becoming more intense, and which is bound to fade more and more with every passing year. With the development of transportation and communications in modern times, the basis for medieval particularism has been largely swept away. The same developments tomorrow are likely to destroy both the objective and the subjective grounds for regionalism still existing today. The improvements recently made in the science and art of public administration count

in the same direction. As a matter of fact, regionalism is but one aspect of the general attitude which at its extreme fringe is isolationism, and is being overtaken gradually by the same fate which is in course of overwhelming that aberration. It is also a mild form of anarchism or flight from order and unity, although some regionalists feel that stronger and more effective international organization can be had on a regional than on a universal basis.[4] The regionalist again seems to some extent, or in one special context, to be engaged in a vain effort to turn the clock back.

Of course we should remember how the situation appears from the nationalist, rather than the internationalist, viewpoint. From the nationalist viewpoint, regionalism is progress, and difficult progress, made at a considerable cost. It would constitute a distinct advance for nationalistic Europe. It would constitute a victory over an often strong xenophobia—which attitude, with reference to the rest of the world, regionalism seems to the outsider to manifest. It is also open to the regionalist to point out that close regional union is a more exacting thing than a loose or thin universalism, just as it is much easier to like, or at least tolerate, strangers at a distance than close by. And if medieval particularism was altered by developments in the direction of national unity, these developments constituted also modifications of medieval universalism, such as it was, for good or for bad.

Before considering some details of the problem of regionalism, however, it should be recalled that the answer to be given to that problem may turn to some degree upon whether we are discussing the so-called political aspects of international relations or the so-called non-political aspects. This distinction is far from a clear-cut one, and most treacherous in many ways,[5] but we may for the moment assume that the distinction is valid and that, for example, in the former category go such questions as disarmament and security, in the latter such matters as health and communications. Now it is probably true that most of the arguments in favor of regionalism originated with those—students or politicians—who were thinking of political questions, and, presumably, trying to reduce their responsibilities for action at some distant point of the compass. On the other hand, some of the most vigorous champions of regionalism today are preoccupied largely, or even mainly, with social problems, or at least economic problems of one sort or another.[6]

The fact seems to be that the very treacherous distinction alluded to helps but slightly toward a solution of the present problem. The distinc-

[4] *Ibid.*

[5] "Note on the Distinction between Political and Technical Questions," in *Polit. Sci. Quar.*, Vol. 50, No. 2 (June, 1935), p. 264.

[6] J. Hostie, "Communications and Transit," in Institute on World Organization, *World Organization* (Washington, 1942), p. 158.

tion itself is largely unreliable: so-called political problems (e.g., armaments) are increasingly technical today, and so-called non-political questions (e.g., health) retain so much of the element of state policy, discretion, and choice of values that the results are not very different. If by non-political is meant a branch of subject-matter from which the political element has been extracted (which has been "de-politicalized," as this writer called it over twenty years ago)[7] by agreement on principle and procedure, then there is much to be said in behalf of the analysis. The result counts at least as heavily, however, on the side of universalism as on the side of regionalism: when subjects are so treated, they can all the more readily be handled on a world basis. We shall not need to pay further attention to the political versus non-political distinction in this discussion, and certainly we shall not hesitate to refer to experience and evidence on the "non-political" side as a basis for conclusions concerning the issue in general.

Returning to the concrete geological or geographical aspect of the matter, however, it should be noted that an international organization—a union of states and its organs or agencies—may be "regional" in any one of a number of different senses. It may be regional in membership; it may be regional in its area of operations; or it may be regional in its significance. These elements may overlap, but they may also diverge or even seem to conflict. The union of Central American states, while it lasted, was regional in all three senses and not much more, except as other American states were interested in seeing peace and prosperity maintained in Central America. The union supporting the International Wine Office includes only states of Europe and North Africa, but the scope of its activities is world-wide. The League of Nations was world-wide in membership, but in many matters (e.g., Danzig and the Saar) it acted very locally, although, in turn, these activities had world-wide political interest. It is absolutely impossible to overlook the multiple permutations and combinations possible among these various phases of the matter, and the regionalist must be prepared to say what he means when he advocates regionalism. Of course he usually means regional membership and assumes that this implies, of necessity, regional operation and regional significance. This is by no means the case, however, and the common mistake of local minorities—overlooking the interests of the community as a whole—ought not to be tolerated here any more than elsewhere.

A still further refinement of the problem calls for notice. At times, the term region (or regional) is used to refer to a group of countries widely scattered over the face of the earth, such as the British Commonwealth.[8]

[7] P. B. Potter, *Introduction to the Study of International Organization* (1st ed., New York, 1922), p. 283.

[8] E. Culbertson, *World Federation Plan* (New York, 1942), p. 24.

In other cases, individual states are missing from a regional grouping: Canada is, in general, not part of the Pan American system. The whole colonial phenomenon plays havoc with the regionalist picture; that dependencies in large numbers are being dealt with, in reference to international organizations today, in their own names[9] alters this slightly, but by no means simplifies the situation. If Portugal should join a European union, would this include her African and Asiatic colonies? Finally, there are found blocks of states with practically no geographical element in common, yet with community of race, religion, social or political principle: the democracies, the Catholic nations, the Anglo-Saxons, and heaven knows what else. It may be that the difficulty could be easily met in these cases by simply admitting that there is no case of regionalism present, but the trouble with such an explanation is that the regionalist himself is not always ready to accept this way out; and in any event the underlying problem, that of sectionalism or sectarianism versus the common interest, is present, and the relations between sectionalism and sectarianism demand careful but full exploration and explanation.

Finally we must distinguish, both as regards regionalism in membership and regionalism in activity, between international organization which adopts regionalism as a principle and that which either refrains from such an attitude or deliberately takes an opposite attitude, yet is in fact regionalist in composition and activity. It is the organization insisting on regionalism in principle which raises the issue most sharply. In principle, the organization which professes to be open to all nations is not regionalist in character, particularly if it has a general membership in fact and a program of action of a general character. On the other hand, a number of unions of states in Europe which have professed to be universal have included virtually no extra-European members or only the United States or the United States and one or two British Dominions.[10] This phenomenon is tending to disappear, as Latin American and other smaller states in other continents join such organizations in larger numbers, but it still calls for attention.

We may, perhaps, already begin to draw a few tentative conclusions in this whole matter. Thus we should certainly not agree with any position that would deny all value to regionalism as a principle of international organization or insist upon general and complete application of the universal principle. Such a position would have the weakness, *a priori*, of any doctrine so narrow as to take on the character of an "ism," although the same must be said for regionalism as such; the true solution of any

[9] International Telecommunication Convention, 1932: United States *Treaty Series* No. 867.

[10] For example, the International Penal and Penitentiary Commission: League of Nations, *Handbook of International Organization* (rev. ed., Geneva, 1938), p. 250.

political problem must always be a compromise, or rather a combination of elements in sound proportions. Apart from such abstract reasoning, the number of regional international organizations which have been formed in the past—the Pan American Union, the various Baltic organizations, the Institute of Pacific Relations—and their utility, would lead us to the same conclusion.

On the other hand, we should not exaggerate the significance of this evidence or swing to the opposite extreme. The regional international organizations have been no more successful, on the whole, than the universal unions. Some have been egregious failures,[11] while certain universal organizations have enjoyed pronounced success.[12] No position which should try to exclude universalism entirely and place all international organization on a regional basis would be acceptable; and it does not seem superfluous to make this point, in view of the extreme views held on the subject in certain quarters.

It is at this juncture that the experience enjoyed—or suffered—in connection with the League of Nations may profitably be considered. Indeed, the advocates of regionalism are prone to cite the League experience in special support of their doctrine. The League, it is sometimes asserted, came to grief precisely because it tried to operate, especially in the field of sanctions and security, on a world-wide basis, which was too great a task, instead of organizing international security by regions where countries would both feel an interest and be able to act effectively.[13]

Superficially, this analysis seems very cogent, and when we recall, for example, British reluctance in the twenties to contemplate sanctions action in Eastern Europe and the obvious inclination of the French in the thirties to interpret the sanctions and security sections of the Covenant almost exclusively in terms of Western Europe, the picture appears to become all the more conclusive. But is it really so conclusive? For one thing, the analysis disregards entirely the non-political side of League action, and, for reasons already given, we feel compelled to refer to this aspect of the problem at every step. Indeed, the analysis just reviewed even disregards all aspects of the political activity of the League other than sanctions action. This activity included limitation of armaments, supervision of mandates, settlement of disputes, and still other items, and in these matters the success or lack of success of the activity of the League did not seem to be particularly dependent upon the regional principle either. If, however, the regionalist were willing to say that he was

[11] For example, the International Central American Bureau.

[12] The Universal Postal Union inevitably comes to mind, but could be matched by many more.

[13] H. Hoover and H. Gibson, *The Problems of Lasting Peace* (New York, 1942), p. 264.

thinking about the problem of enforcement alone in all his argumentation—which obviously he is not—then the problem would take on a quite different appearance, without even then becoming quite simple.

Actually, the League experience is not a clear support for regionalism, even on the narrow question of sanctions. Action against Japan was not taken in 1931–33 for numerous reasons, and lack of interest and lack of ability to act in the Far East were not clear and prominent among them. Certainly there was no lack of interest, in both the objective and the subjective senses of that much abused term, either in Great Britain or in the United States. And if inability to act alone against Japan in the Western Pacific was one—and perhaps the one—decisive reason for British refusal to go ahead at this time, the inability was not a general and inevitable inability based on the factor of distance alone, but a special and imposed disability brought about by the irresponsible attitude of the United States and the effects of the unwise action promoted by the United States at the Washington Conference. Also if we turn to those circumstances where League action came to grief in the end—specifically, the Ethiopian case—we find that the failure had virtually nothing at all to do with distance, regionalism, or anything else of that order, unless again French preoccupation with the Rhine frontier in contrast to the security of Ethiopia can be so described. In that case, however, regionalism simply means national preoccupation with the homeland, and this is a bit too elementary to go very far as a basis of international theory. The places where action had to be taken or pressure brought to bear by the League powers if the aggressions of 1935–36 were to be brought to an end were Rome and Berlin (and Moscow, if we keep all angles of the situation in mind); if effective action was not taken in this sense, it was not because of the remoteness of these countries. It might be added—a small point, but a real one—that, in general, nearness to or remoteness from Geneva seemed to have little or nothing to do with the interest and loyalty of this, that, or the other member of the League.

We might press slightly further our effort to deal with this problem in terms of subject-matter. Is it a fact that certain subjects demand or permit regional treatment, while others demand or permit universal treatment? To a slight degree, yes; thus, to resort to an extreme if not ridiculous case, navigation on the Danube River must be regulated on the Danube River, and disease or piracy or any other evil must be suppressed where it is found. It will be recalled, however, that states all over the world may be interested in that action and may be willing to join in it, thus rather wiping out the regionalistic aspect of the case. On the other side, it may be argued by the universalist that "germs know no frontiers"—or radio waves, or ideas, for that matter. Even here, the ambiguous nature of the regionalist principle must be emphasized: the universal

character of the problems of health and communications does not mean that regional treatment of these matters within the framework of the general world organization is not, or may not be, very useful. In subject-matter, as in the other aspects of this problem, the proper answer seems to be something of a composite.

Perhaps it may be justifiable to emphasize quite frankly and clearly before going further one or more of the definitely dangerous or objectionable aspects of regionalism. Thus, not only is regionalism a reactionary principle when considered in relation to recent developments toward universalism, but also it tends to sanctify, crystallize, and institutionalize elements of selfishness and opposition to the general welfare which, if not thus dignified, might gradually be eliminated or assimilated, to the advantage of all concerned. One quite possible result of any strong application of regionalism would be the setting up of large blocks of nations against one another, or even of continents and hemispheres one against the other. The implications and political effects of the Monroe Doctrine have at times approached this result. A strong European regional union would be dangerous to all the rest of the world, if only because of the power of such an aggregate and the obviously competitive interests of European against non-European countries. Or—if we let our scientific imagination run off in the other direction—if we begin to regionalize, we may find that the process tends to go further than we had anticipated and we get sub-regions, sub-sub-regions, and so *ad infinitum*. This tendency has actually been encountered in one or more cases in recent years.[14]

One other objection to the regionalist principle is based on quite different assumptions. It consists, that is, not of a complaint that regionalism means too much or would go too far, but that it does not mean enough. As already pointed out, while nations at a distance from one another may vary in interest for reasons connected purely with their location, and may differ in race, social institutions, and other features also because of their remote separation, the opposite may also be the case, and remotely separated nations—the cases of Australia and Canada spring to mind—resemble one another in more ways than one. Conversely, the nations of a given area may vary so widely in race and social patterns that regional unity means little or nothing. Europe itself is a proverbial case in point. An Asiatic union would include strange bedfellows (Russia, Japan, China, Thailand, India—not to touch on the countries of Oceania or hither Asia, or the countries with colonies in the Orient). The basic idea of regionalism is open to two serious objections: neighboring nations are not always logical or actual coöperators, while distant nations often are.

It is, of course, possible to vary the picture of propinquous nations so

[14] Convention of the Postal Union of the Americas and Spain, 1931, Preamble and Arts. 1, 2: 131 League of Nations *Treaty Series*, p. 249.

that we do not assert that they are alike or feel alike, but merely that, being forced to live together in a more or less limited area, they simply must coöperate and organize, or both, in order to deal with matters of common concern. The case for regionalism thus made out is both stronger and weaker than the usual presentation—and is distinctly the picture of the situation less frequently presented. The cogency of the argument is greater, but perhaps the conclusion should be somewhat different. It is precisely in such a situation that not a local, but a general, organization may be useful. The local states need peace and coöperation, but they may not be able by themselves to attain these results. It is just such a configuration of circumstances that gives rise to demands for wider and more resourceful action by a broader community.

It was mentioned at the beginning of this discussion that the problem of regionalism was formulated in national politics in a fashion somewhat different from that in which it is formulated in the international sphere. In the latter, the issue is drawn between local and general organization on the basis of a hypothesis of differing interests. In the former case, it is rather assumed that the interests of people in general—if not everywhere—are the same, and that the only open question is that of whether these interests can best be served by a limited or an extensive (in terms of area) political organization. As usual, the truth lies between the two extremes or in a combination of the two views: variations of interest and policy, and hence in the legislation and administration required to serve them, are greater than formally minded students of national political science are wont to imagine, but there is a much greater body of common interest to be served in the international sphere than the particularists perceive—or where there is not, this is not traceable to factors of place or location. Study of the problem in terms of effectiveness in relation to area and technology is highly to be recommended—as in all fields of administration;[15] approaching the problem with preconceived and exaggerated notions of divergent interests can only render its treatment unnecessarily difficult.

In the same manner, the problem could be assimilated to that of the formation of federal unions and distribution of powers between the members thereof and the central government.[16] In any such case, states seem ripe for federation when they have a body of common interests which can be handled so much more effectively on federal lines that the difficulties and sacrifices involved in the latter course of action are more than justified by the results. And those functions are to be attributed to the central government which can be so much more effectively handled by it that the

[15] L. D. White, *Introduction to the Study of Public Administration* (rev. ed., New York, 1939), Chap. 12.

[16] Discussed in work cited in note 7 above (4th ed.), Chap. 12, Sec. 3.

benefits to the members outweigh the cost. Now the same test should apply in our present problem. Whether a regional or a universal organization is to be preferred, and whether given matters are to be dealt with regionally or locally, should depend on the practical results to be anticipated from one as against the other method of treatment—not on sentimental, philosophical, or metaphysical considerations. Here, as at so many other points, the establishment and operation of international organization would benefit appreciably, in all probability, from the application of a little elementary general political science.

The final question to be considered in this whole field, however, is that of the coördination of any local or regional organizations with that of the general international community. It must be admitted that most, if not all, of the advocates of regionalism recognize the need for such coördination,[17] thus giving evidence of their sanity and common sense, but also, perhaps, of certain misgivings concerning the superlative values of their own favorite principle. In any case, such coördination is indispensable if the obvious potential evils of regionalism are to be guarded against and its full benefits obtained.

The great difficulty here, however, is not to secure agreement in principle, but to work out the modalities. Shall coördination be given structural form or be sought merely in the realm of action or procedure? Shall collaboration be obtained by asking the regional organizations, once set up, to seek this result by communicating one with another or with the central organization? Shall it be sought by giving the central organization power to impose it upon the regional organizations? Or shall the original creation of the latter be left to the central international authorities? Having local agencies set up from the center would produce the desired result with most certainty, as witness the cases where it was employed under League auspices,[18] but would probably not satisfy the devotees of regionalism, or the most eager among them. Asking local agencies to coöperate voluntarily would be too uncertain and leave the burden and the power too largely in the hands of the local authorities. Giving the central organization power to impose order seems to be too drastic, almost more drastic than central creation of agencies, and indeed to be quite unworkable if the experience under the League with the much milder Article XXIV may be taken as a guide.[19]

[17] Orúe y Arregúi, as cited, pp. 82, 90.

[18] The International Institute for Intellectual Coöperation (Paris), the International Educational Cinematographic Institute (Rome), the International Centre for Leprosy Research (Rio de Janeiro), etc.

[19] Discussed by the present writer in "The League of Nations and Other International Organization," in Geneva Research Centre, *Geneva Special Studies*, Vol. V, No. 6 (Geneva, 1934).

The solution probably lies in the direction of action by the states forming regional organizations, action to place such unions within the framework of the general organization at the time they are founded. This was the solution adopted in the Locarno agreements;[20] it has been adopted in many other agreements of a political character.[21] It is the solution envisaged in those international conventions dealing with postal communications and such matters where regional or limited unions within the general union are permitted.[22] The states should, probably, give to the general organization the right to intervene in any case where such action is not taken—perhaps by inadvertence—and seek some type of coördination. Here, as elsewhere in political action, the willingness of the parties to follow a line of action or a principle determines, as much as any structural or procedural arrangements, what the outcome will be. One can only hope for the best.

No attention has been given in this discussion to cases where the doctrine of regionalism has been used in bad faith or merely to obstruct the progress of international organization in general. That such cases exist cannot be denied.[23] They must—unless the bad faith is so flagrant that it can be exposed and the effort discredited in its entirety, which must be rarely—be met on the merits and argued out on that basis. Above all, the issue must not be merely evaded or ignored.

Similarly, while this discussion has been concerned chiefly, if not exclusively, with the problem of what is desirable in the realm of regionalism and universalism, we should not forget that meantime the states or their governments—ultimately the peoples—are doing various things having some bearing on the problem. A number of these have been noted already. Another type of state action significant in this connection is the preference for bilateral over multilateral international arrangements manifested at times by various countries, a prominent feature of German diplomacy in the 1930's. We cannot review in detail all the circumstances which would dictate one or the other form of arrangement in different cases—and there are numerous such considerations on both sides. What we must do, however, is to note that bilateralism constitutes an exagger-

[20] Treaty of Locarno, Preamble and Arts. 2–4, 7: 54 League of Nations *Treaty Series*, p. 289.

[21] Pact of Organization of the Little Entente, 1933, Art. 10: 139 League of Nations *Treaty Series*, p. 233.

[22] Convention of the Universal Postal Union, 1929, Art. 5: 102 League of Nations *Treaty Series*, p. 245.

[23] That is, cases where regionalism has been advocated, not with a view to rendering international relations and coöperation more effective, but with a view to preserving greater national liberty of action while pretending to do the other thing. See, for example, much of the insistence by the United States on limiting her participation in international organization to the Western Hemisphere.

ated—that is, a very narrow—form of regionalism. Even where an effort is made to achieve universalism by cumulating many bilateral arrangements,[24] it is a bastard sort of universalism which may conceivably be attained. Here as elsewhere we must remember that states may go in for bilateralism or other forms of regionalism either on the pretense that it is a superior form of international organization or on the basis of cynical self-seeking or on the basis of some subtle or clumsy blend of the two; in any case, this does not modify our conclusions on grounds of reasoned analysis.

The total result of our inquiry is obviously inconclusive and synthetic. Neither universalism nor regionalism can be adopted as final and exclusive principles. Both constitute notes or elements which must at all times be present, in varying strength, in any political organization, especially any international organization—and, what is more, always have been and always will be present in this form. If there is a general trend noticeable in this connection, it is a trend from regionalism to universalism. But this trend is by no means so strong as to eliminate the former; and it may be admitted that there is some limited trend today back toward regionalism from an exaggerated and superficial universalism. The principal task of the student of international organization is not to waste more time debating over regionalism versus universalism, but to study the ways in which, in concrete cases, the two principles can be utilized in combination and the standards to be applied in determining the dosage of each to be adopted. The present discussion should point in this direction.

DISTRIBUTION OF POWERS BETWEEN AN INTERNATIONAL GOVERNMENT AND THE GOVERNMENTS OF NATIONAL STATES

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Universal feeling seems to converge upon the postulate that after this war an International Government shall be formed to control war and peace of the world, and that the United States shall take full share in it. This dual demand is considered a fundamental platform on which all men of good-will can meet. There is a far-spread tendency, however, to postpone inquiries into its exact meaning and implications. This vagueness may have merits for winning popular support. It has none in preparing for final action. It may even defeat the movement's purpose, because

[24] C. Hull, "American Foreign Trade Policies," in Carnegie Endowment for International Peace, *International Conciliation*, No. 323 (New York, 1936), p. 458.

little may come from the longing for International Government, unless details are well prepared in advance. Or, built with a marble façade on shaky foundations, International Government may lead to disaster rather than avert it.

None of the United Nations—at least none of the "Big Four"—has thus far given up its sovereignty.[1] For this very reason, no insurmountable difficulty may lie in the way of continuing their alliance to some good purpose after the war, and gradually extending it to other nations. That is still a far cry, however, from the establishment of an International Government which, distinct from the governments of its constituent members, should have the power to take consequential steps independently. If we stake our hopes on this latter type, we must answer the question of how shall the powers be divided between the International Government and the governments of the national states? In passing through the immense flood of discussions on International Government, it is amazing to see how scant are the contributions to this question.

I

Powers to be given the International Government cannot be discussed fruitfully without paying attention to the composition of the body that is to exercise them. On first thought, it may seem safe to assume that the United States will always be a partner in making decisions. That, however, is a dangerous fallacy. Among the first institutions likely to be considered is an international court vested with authority to make final decisions on such vital questions as whether a country has acted as an aggressor and whether therefore the members of the international organization are obligated to take certain steps. Such a court has *persons* as its members rather than countries, and although one of its members may always be an American citizen appointed on the proposal of the United States Government, it is not the government but the individual that renders an opinion in court. If the court directly or indirectly were to decide on peace or war, then peace and war would not be a matter on which the people of the United States had a final vote.

In fact, it would not be much different with American participation in the executive and legislative bodies of an International Government. Only if Congress were to direct the vote of the American representatives there

[1] "There are bilateral, trilateral, and multilateral organizations among several of the United Nations, but there is no organization of the United Nations as a whole. It cannot be said that any action, military or political, has been in any genuine sense an action of the United Nations. In the final sense . . . the United Nations is not yet a reality. No permanent institution has been established which can be designated by this name." Quincy Wright, "United Nations—Phrase or Reality?," *Annals of Amer. Acad. of Polit. and Soc. Sci.*, Vol. 228 (July, 1943), p. 1.

by joint resolution of the two houses could one properly say that the *United States* had a share in the decisions. If the country were represented merely by delegates of the President or State Department, their vote might be in conflict with the opinions of Congress, which, according to the Constitution, has the power to declare war. Even if the boldest dreams should come true through the establishment of an international parliament chosen in universal elections, the United States as a nation would have no vote unless its representatives were held to cast their votes uniformly on the basis of a preceding caucus decision.

These are great difficulties in themselves. They are aggravated by the fact that, although American members of international bodies may present the views of the United States correctly and efficiently, they may be outvoted in court as well as in council and legislature, unless unanimity be required as it was in the League, or at least unanimity of the Great Powers. Thus the decision on war and peace may not rest with the United States, either in form or in substance.

We must face these difficulties squarely and not leave it to opponents to bring them into the battle. To preserve the peace of the world, to save civilization, and to develop higher social standards, the United States should certainly brace itself to overcome narrow isolationist feelings and show its good intention to coöperate in the establishment of International Government. But it should do so constructively, after thorough analysis of the entire problem, rather than blindly.

Sacrifices in self-determination will be more readily accepted if the powers of the International Government are to be slight than if they are to have vital importance. To give the International Government nonconsequential powers does not, however, seem to help us towards the end we are seeking. On the contrary, the leading idea is that in certain situations the International Government should decide on war for all member states, especially if one country, without being provoked, should attack another for any reason anywhere in the world. Furthermore, it should have an armed force, called an International Police Force, even in peace-time, and a monopoly in the production and use of certain weapons. These, indeed, are not matters of slight concern.

The main problem remains, therefore—however much we try to escape from it—whether war for the United States shall become the automatic consequence of a decision made over the head of Congress and people of the United States by an international court, council, or legislature. If the question were only that of minor upheavals to be suppressed by concerted action, it might not seem too bold to leave the decision to an international body. But there is no guarantee that aggression will come only from minor powers, or that it will not end in global conflagration. At any rate, no "police action" undertaken by the International Government would be an

action merely of that somewhat impersonal body. It would automatically engage the United States. Its duration, scope, and result would decide the fate of the United States exactly as if this country had gone to war on its own determination. If the cause were remote and of doubtful justification, Congress might have hesitated. Once drawn into the conflict without its consent, there is little choice but to go on.

For all these reasons, I feel that pledges, if any, of the United States to surrender to an International Government the power to decide on war and peace cannot be general and unconditional. Special arrangements may, of course, be made with other countries for mutual assistance in regard to *specific* dangers, such as rebellion of defeated countries. But pledges in *general* terms, covering any disturbances anywhere in the world, cannot be recommended before certain conditions are fulfilled. Suppose Great Britain withdrew from India before the various states there came to an agreement on a reasonable and constructive federation or some other sort of peaceful régime. In that event, according to the best judgment, some sort of war would be likely to arise. It would not be merely civil war, but war between what then would be separate states. Should any such aggression in any part of India against any other part compel the United States to rush to the protection of one of the parties? Again, if Europe be left in a condition of atomistic anarchy of small states with no constructive links between them and with intolerable injustices prevailing, the United States would have good reason to refuse being drawn without its consent into any violent conflict certain to arise from such conditions.

In sum, if the United States were ever to surrender the decision on war and peace to an international court or council, such transfer could not be recommended regardless of whether conditions were just or unjust, reasonable or unreasonable, constructive or destructive, encouraging or depressive. It should be envisaged only on condition that a just and workable order of the world is going to be established, and go into effect only in regard to regions where this is achieved. In the meantime, the United States should be extremely active in bringing that order about (see II, below), should promote other aspects of International Government (see III, below); but, except for special alliances against specific dangers, it should keep the decision on war and peace for itself in its own hands.[2]

[2] This article rests on the negative assumption that a complete monopoly in armaments for the International Government will not be obtainable at the outset. Professor R. M. MacIver (*Towards an Abiding Peace*, New York, 1943) rightly emphasizes that until it is achieved the danger of wars among nations will persist. He urges, therefore, that the monopoly should be brought about, if only by gradual steps. Strong as his argument is, it shows implicitly that until the millennium is reached nations and federations must be on their guard. I plan to review this important book, which came out after this article was written, in the November issue of *Social Research*.

II

To establish just and orderly conditions in densely populated territories which are divided among a great number of national units, and efficiently to control practices that may lead to war there, more is necessary than a world-wide International Government erected as a superstructure immediately over the national units. Control must begin much earlier than with the suppression of actual aggression, and it must be automatic, i.e., independent of any initiative to be taken by some government agency. This can be achieved to an adequate extent only within regional federations. We must, therefore, accustom ourselves to thinking in terms, not of *one* International Government, but of several levels of such governments, including minor regions, such as federations of medium-sized states; major or quasi-continental regions, such as a European or an Indian Federation; and a global organization, which may originate in the United Nations or the League or Nations, or both.

It is not necessary that quasi-continental combinations be "perfect unions" with a federal monopoly in foreign policy, in armaments, in interstate commerce, and the like. It is sufficient that they be limited to a few well-defined purposes, i.e., that they constitute limited-purpose federations.[3] Among these purposes, however, must be that of preventing war among the members by a number of devices, which must begin operating far earlier than with the actual event of unprovoked aggression. Such devices should include: (1) Maintenance of certain minimum standards of freedom and equality of individuals within the member states. For, if some authoritarian government is able to silence any kind of possible opposition by terroristic methods, it can more easily prepare for aggression and do so secretly. On the other hand, if freedom and equality are secured to all individuals, including those who belong to political, racial, or religious minorities, the present sinister significance of boundaries is modified. (2) Maintenance of a certain minimum of political institutions to secure popular representation and free elections. This, too, is a guarantee against secret preparation for aggression. (3) Maintenance of certain minimum conditions of free communication, free traffic, and free commerce within the federal territory and with the world at large.

To establish adequate standards of this kind efficiently for the whole world is not feasible, because—as we shall see in section III below—traditional views in the various sections of the world are too different to be brought upon a common denominator other than one of extremely low standards. Nor can world institutions secure automatic control. Within regions, such control can be established. Individuals whose rights are

[3] See my article on "Limited-Purpose Federations" in *Social Research*, Vol. 10 (May, 1943), p. 135.

violated by local (national) authorities can be granted appeal to federal courts, or to one federal supreme court, and the federal court or courts can be authorized to go into the details of the case with the usual tools of evidence, including inspection on the spot. Numerous federal states have demonstrated that this arrangement is workable. The United States, Canada, and Australia have proved that it can operate on a continental or quasi-continental scope.

In Europe, too, there will be no difficulty, after the defeat of totalitarianism, in establishing minimum standards and their automatic control to a remarkably high degree, at least outside of the Soviet Union and, at present, Spain. Spain is likely to fall in line soon. Whether the Soviet Union is ready to accept minimum standards and their effective control by federal institutions, depends on her own decision. If she should wish to stay apart, it would not affect the significance of the arrangement for the rest of Europe. Nor would it preclude her from continuing treaty relations with Great Britain and eventually entering into such relations with other members of the European Federation, as this federation is to be one of limited purposes only rather than a perfect union or *bloc*. Members may enter into any treaty relations with outside powers, provided they are not in contravention of the principles and limited purposes of the federation.[4]

Other measures which would tend to prevent war within a regional federation lie in technological and economic fields. While it is not feasible to monopolize public control of the main railroads of the whole world, it is quite possible to do so within a densely populated continent. This holds true for the main continental airlines as well. If thus the most important means of transportation by land and air are brought under federal control, preparations for war are strongly checked from this additional angle. Federal control of other public utilities may follow. Furthermore, institutions to facilitate interstate commerce can be equipped with greater powers on a continental than on a global scale. It is not feasible for global institutions directly to establish the necessary interstate arrangements within densely populated regions like Europe or India, although the details should keep in line with a world-wide schedule.

Such regional organization as here outlined protects neighboring states from mutual attack more efficiently than any clumsy machinery on the global level can do directly. It takes the rigid meaning from intra-continental boundary lines. It secures life and liberty and regard for

[4] A catalogue of such minimum standards as may be adopted and automatically controlled in Europe may be found in my article on "European Federation; The Democratic Alternative," in *Harvard Law Review*, Vol. 55 (Feb., 1942), pp. 561 ff. Such minimum standards should not be confused with a bill of rights, as they include far less than does such a bill in its traditional meaning. The reasons are discussed in the article.

human dignity, irrespective of where people live. In barring terroristic régimes, it meets the greatest dangers in psychological preparation for war. It controls important tools such as transportation by land and air. It interlocks the economic and technical affairs of the member states.

Measures directed immediately against armament and aggression should be regarded as an important supplement, but no more than a supplement, to those more constructive features. General disarmament alone, without justice, would not abolish war—people would fight with scythes and bricks, but fight they would if they felt frustrated, unless they were confronted with superior power. Leaving aside here the question of discriminative measures against defeated countries during a transitional period, nothing could better serve to quell fights between neighboring peoples than a complete federal monopoly of armaments. That, however, may be impossible to achieve, even in regional federations. A "Declaration of Aims and Principles for a European Federation," distributed recently by the Pan-European Conference,[5] has indeed proposed such a complete federal monopoly in armaments for Europe. It has further advocated that the commander-in-chief of the European Police Force should always be chosen from one of the smaller nations of Europe. These proposals are, however, unrealistic, at least in case Great Britain should care to be a member of the European Federation, which I think would be highly desirable. British autonomy regarding the navy would be abolished and all British armaments subjected to the control of a federal European council in which Great Britain would have only one of several votes. I am afraid such ideas, in over-simplifying matters, do more harm than good to sound endeavors towards some kind of European federation. If Great Britain were ever to yield control of her armaments entirely to an International Government, she could do so only to a World Government—on condition that all others did the same—or to a Government of the British Commonwealth, or to an Anglo-American union, but not to a Pan-European Government, unless it were controlled by her.[6]

It is less utopian—although still very optimistic—to think that Continental Europe without Great Britain and Russia may reach complete monopolization of its armament questions under federal control. In that event, some special arrangement with Great Britain will be necessary. At

[5] See *New York Times*, June 5, 1943, p. 18.

[6] The Pan-European Conference has no mandate to speak for Europe, except the mandate of reason. It actually consists of a self-appointed board of three members, who make their statements according to their own judgment, with or without previous discussion with the members of the Conference or its committees, who—although equally handpicked—have no vote.

least, the European Covenant should try to provide for some effective limitation of armaments within the member states and a federal monopoly in the production and possession of certain heavy arms. A federal police force may be set up to enforce the Covenant whenever necessary, after the federal supreme court has declared that a member state violated its constitutional duties or in case of aggression. To suppress armed rebellion, conditions may be formulated under which all armed forces of the member states are to be subordinated to a federal commander-in-chief to be appointed by the council or legislature.

In sum, distribution of powers between the supranational government and the national governments can be outlined effectively for a regional federation. It may even be possible to leave details, in so far as they cannot be formulated definitely in the formative stage of the federation, to a legislative body to determine with qualified majorities. Thus one may boldly imagine an article on distribution of powers in the Constitution of the European Federation which would read as follows:

"The Legislative Body of the Federation has the power, by two-thirds of the votes cast, to establish, valid for the entire territory of the Federation—(1) minimum standards to protect individuals from arbitrary or cruel measures; (2) minimum political rights of representation and minimum standards for free elections; (3) minimum rights of emigration and immigration; (4) minimum standards to protect national, racial, and religious minorities; (5) principles for the solution of technological, economic, and financial problems; (6) principles restricting armament and the production of arms in the member states; (7) principles for the arbitration of conflicts between member states.

"The Legislative Body may furthermore create institutions designed and authorized to control the application and execution of the standards, rights, and principles so established, and for the arbitration of conflicts between member states. It may maintain military and police forces on behalf of the Federation and undertake the production of arms, especially those the production of which has been denied to the member states, subject to principles that may be established by a world-wide organization.

"The Legislative Body, or by delegation the Executive Body, may determine economic, police, and military measures to be applied against a member state that should violate its obligations under this Constitution; provided that, except in defense against aggression or armed rebellion, no such measure shall be applied before the Supreme Court of the Federation has established the violation.

"No decision of the Legislative or Executive Body may discriminate against any member state, except in so far as such discrimination is devised to secure compliance with legitimate rulings after they have been violated and until compliance is attained.[7] Controversies about the validity of federal decisions are decided finally by the Supreme Court.

[7] Temporary discriminations resulting from defeat in the present war are a matter of armistice conditions and peace treaties rather than the affair of the Federation, which is bound to observe them as long as they are in effect.

"Decisions of the Legislative or Executive Body and other federal institutions, unless they exceed the powers granted, have supremacy over contradictory state and local regulations."[8]

All this may be feasible on a regional level. Far less can be done on a global scale. But considerably more can be accomplished on the higher level after some regional settlement of this kind has been reached.

III

If we now return to the distribution of powers in matters of war and peace between the governments of individual nations and an International Government of global jurisdiction, the problem has lost much of its stringency. Once Europe and other densely populated regions have been organized satisfactorily so as to maintain regional peace under normal conditions through regional institutions, it remains for a global organization mainly to do two things, namely, to provide subsidiary support in the maintenance of regional peace and to maintain peace between regions or empires. Hard as it is to plan for a world government with such functions, it is a problem much more limited than that of directly policing and pacifying all the individual nations.

(1) Whenever a federal government is threatened by the rebellion of one of its member states in violation of basic principles, it may call for help, if that should be necessary. Whether the United States cared to grant military support would, under the old system, be for Congress to decide from case to case. To leave such well-limited decision to a World Government, in which American delegates would have an adequate vote, can be seriously considered.

(2) All justiciable conflicts between federations or between them and the remaining independent units or among the latter may be subjected to the decision of a World Court. This problem is so familiar that I need not discuss it here. The risk for the United States in subjecting itself to this procedure is so limited that it can well be endured.

(3) Non-justiciable political conflicts may be subjected to compulsory arbitration. There are several alternatives as to jurisdiction and procedure of arbitration and the meaning of the award. To choose among them is beyond the purpose of this article.

(4) As to the limitation of armaments, the world-wide organization would, after the defeat of the totalitarian countries and the establishment of Europe's federation, be faced with a problem not very different from

[8] The above suggestions paraphrase more moderate ones made in "European Federation," cited above. See that article as to details and also regarding the composition of the Legislative Body and the distribution of votes. The result of the latter proposals was that decisions for which two-thirds majority was required could be blocked by any two or three major countries or any ten minor ones.

that of making an agréement between Great Britain, the United States, and the Soviet Union. Once agreement on limitations is reached, international institutions may obtain the power to supervise conformance with the established principles. This right of surveillance would then be one of the powers transferred to the International Government. The right to determine the principles themselves could hardly be surrendered in this way. They must be established in the Covenant or by subsequent agreements.

(5) The International Government may furthermore obtain the power to administer territories, facilities, and plants for the common welfare of humanity. Such arrangement may be of greatest benefit in the administration of colonial territories, of canals and straits of global importance, of international airways, of air fields, and of plants for the production of such armaments as under the agreements on armament restriction may not be produced by individual states or regional federations. The difficulty here is less with the formulation of the powers of the International Government than with the acquisition of the territories and other assets from those who own or control them today.

(6) In this context, the International Government may also obtain the power to maintain an international police force and to summon armed forces from the member countries in those rare cases in which the International Government is given the power to start armed expeditions.

(7) In addition, the global organization may pursue humanitarian, social, technological, economic, educational, and similar aims by establishing institutions which in these fields have independence in the disbursement of their funds and the claim to obtain information from the member states, but normally no further powers.

(8) Specific boards with broader powers in these fields may be established for deciding on well-defined questions and discharging well-defined administrative functions. Such boards may emerge in the field of currency stabilization or of trade regulations, and also in that of giving passports to stateless persons. The powers of these boards must be determined exactly and specifically. This can be done either in the original Covenant or in subsequent treaties.

(9) Maintenance of basic standards of individual justice and individual security—primary function of regional federations—can play only a minor rôle, if any, in the direct activities of the global organization. It is, of course, highly desirable that the global Covenant establish minimum standards of individual justice and security everywhere in the world and provide world courts which will hear appeals from countries where such standards are not secured either directly or through federal institutions, or where the municipal or federal courts deny justice. But it is not difficult to foresee that, while a regional bill of minimum standards can be elaborate and powerful, a global bill is doomed to be vague and timid and to

leave ample loopholes.[9] Nor would it be technically feasible to grant every individual appeal to a global supreme court just as to a regional one. It would be a great achievement if the executive council of the World Organization could be given the power to bring the violation of fundamental principles of justice in any part of the world to a judicial procedure before an international court. Or, as Quincy Wright has proposed, the court itself may be given the power to accept individual complaints if it thinks they are so important as to warrant the procedure, although this selection is a political rather than judicial decision. One glance at the Soviet Union or colonial empires will dampen hopes that the powers given the global organization in this respect will go very far. But the attempt should be made with an ardent and crusading insistency.

(10) The chances are even worse that minimum standards as to political rights of individuals or groups for participation in government can be stipulated on a global scale.

In sum, the functions of an International Government of global jurisdiction can be most easily developed in the administration of facilities of world-wide significance and as a subsidiary controller of affairs that cannot be mastered by regional arrangements. Its importance should be sought, not in individual, local, or regional, but in world affairs.

INTERNATIONAL ADMINISTRATION: LESSONS FROM THE EXPERIENCE OF THE LEAGUE OF NATIONS

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The time has come to prepare in advance everything that can legitimately be prepared for the revival of international activities after the present catastrophe. Since there are too many unknown factors, it is impossible to envisage the international machinery of the future in all of its details. We cannot as yet foresee the shape that the agency or agencies eventually superseding the League of Nations will assume. The international organization-to-be will certainly assume a striking difference in character, dependent on whether the League is reconstructed or a different type of international agency is created. From an administrative point of view, however, the problems will not be so different from what they were before; it will therefore be fruitful to discuss some of these problems in the light of the Geneva experience.

Much of this experience cannot be found in reports and minutes, or, if

[9] See "Limited-Purpose Federations" (cited above), p. 144, especially the reference to the Slavery Convention of the League of Nations of 1926.

recorded, is unintelligible even to the informed outsider who relies exclusively on documentary material. Thus, the chief repository of information and the main source of interpretation must be sought in the memories and minds of present and former League officials, now dispersed all over the world. Unless an effort is made to collect this material, there is danger that much of it will be lost. Having been connected for more than ten years as a senior Member of Section with various services, political and non-political, of the League Secretariat, the writer can claim a certain practical experience on which to base his observations. The severance of his connection with the Secretariat, on the other hand, affords him freedom to speak without official restraint.

I. STATUS OF THE HEAD OF THE INTERNATIONAL AGENCY

Article VI of the League Covenant, the constitutional basis for the activities of the permanent Secretariat, stipulates that the "Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required." Paragraph 3 states that "the Secretariat and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council," and Paragraph 4 requires that "the Secretary-General shall act in that capacity at all meetings of the Assembly and of the Council." Only one further indication as to the rôle of the Secretary-General is contained in the Covenant. Article XI declares that in case of emergency "the Secretary-General shall, on the request of any member of the League, forthwith summon a meeting of the Council."

Even if we had no supporting evidence in contemporary literature, it would appear from the mere wording of the Covenant that in the minds of the original shapers of the instrument the head of the permanent Secretariat was to be an administrative officer and not a policy-shaping one. Only in staff matters were broad powers conferred upon him. But even this semi-dictatorial position in questions of personnel would probably not have been granted had those who drafted the Covenant been able to foresee the subsequent development of the League Secretariat, the staff of which comprised 664 officials in 1930 when the League was at the height of its development.[1]

It is easy to see in retrospect that it was an initial error in the original construction of the League to conceive the head of its executive branch as a kind of superior official. The mere designation of the post as "Secretary-General," and not as "Chancellor," as originally suggested, is a clear indication of the desire to restrict the function to a narrow range of responsibilities. Moreover, the choice of the person selected to fill the post as first

[1] At the same time, the International Labor Office employed 424, and the Registry of the Permanent Court of International Justice 24, officials.

Secretary-General gave further indication of the intention of the fathers of the Covenant. Sir Eric Drummond was a member of the British diplomatic service. Nothing predestined him for the unique mission he was asked to undertake except the keen interest he had taken in the work of the League of Nations Commission in Paris. He grew, however, with his task and with the importance of the work entrusted to him. While lacking in imagination, he had respect for the imagination of others and was prepared to take risks while essentially remaining a British civil servant. He was not an inspiring leader of men, but he was certainly more than an able administrator and organizer. Sir Eric might have gone into history as a pioneer and prototype of the international administrator of the future had not his stature suffered subsequently by his acceptance of an ambassadorship and his identification with the policies of Sir John Simon and Neville Chamberlain. The picture of the creator of the League machinery trying to appease Mussolini as H. M. Ambassador to Rome was more than could be borne by those who had considered him throughout thirteen years as the embodiment of the spirit of Geneva.

II. THE ART AND CRAFT OF RECRUITING INTERNATIONAL PERSONNEL

In a Sidney Hall lecture, delivered by F. P. Walters at Oxford, the former British Undersecretary-General of the League Secretariat gave a graphic account of the dilemma facing the first Secretary-General. Should the secretarial work of the Assembly, the Council, and the other League organs be entrusted to a staff composed of national delegations? Was an international civil service possible? Sir Maurice Hankey, who had been invited, and had declined, to serve as the first Secretary-General, was in favor of an organization based on national representation in the future international body. Sir Eric Drummond boldly decided from the first "to organize his staff as an international civil service, each official being supposed to act only on the instructions of the Secretary-General and in the interest of the League, without regard to the policy of his own government."[2]

It must have been a unique adventure on which Sir Eric embarked. No precedent existed which could have guided him in implementing his momentous decision. The existing public international unions and bureaus, such as the Universal Postal Union, with their small staffs offered no comparable prototype. The multi-national civil service of the old Austro-Hungarian Monarchy, recruited from about eleven nations, could not serve as a pattern either, as it was based on the loyalty to a sovereign state which had grown by a slow process spread over hundreds of years. Moreover, the example of the interallied bodies of the preceding war suggested a system of delegations rather than that of an international civil

[2] "Administrative Problems of International Organization," Barnett House Paper No. 24 (London University Press, Humphrey Milford, London, 1941).

service. There is, however, hardly any disagreement regarding the wisdom of Sir Eric's momentous decision, and it is extremely unlikely that any future international agency would revert to the system of national representation.

None of the persons originally called upon to assist the Secretary-General in the recruitment of his fast-growing staff had any previous experience in personnel management. Apart from the principle of creating an international civil service rather than a multi-national administration composed of national nuclei, the guiding idea was to make appointments only after the administrative need had arisen in each individual case, and not to create in advance the administrative frames for needs which did not yet actually exist.

This *modus procedendi* was successful because of the glamor of service in the League Secretariat and the attractiveness of the League salaries compared with salaries paid to public officials in the countries of the European continent. League emoluments were generous, but by no means excessive if compared with those of diplomatic officials abroad instead of the salaries paid to officials at home. The erroneous application of the yardstick of national salaries led to false comparisons, paradoxical evaluations, and to polemics the heat of which can be explained only by the background of general European impoverishment and envy. The Bulgarian member of the Financial Section, for instance, received a salary which was in gold a multiple of the Bulgarian prime minister's pay. The standard of living of the gentleman in Geneva was nevertheless incomparably lower than that of his first magistrate at home.

Apart from a majority of the French officials, who, as a rule, lived below their income and were, therefore, able to effect savings, the majority of the higher officials spent their salaries in full. Duties of a representative nature accounted for this, besides the necessity of sending children home for education. Swiss educational institutions were certainly among the best in the world, but schooling in Switzerland could not possibly qualify the children of Swedish or Rumanian officials for a professional life in their respective countries.[3] The a-patriation index in the international salaries was therefore fully justified, as was—from this point of view—the exemption from taxes which was part of the diplomatic immunities granted to the officials of the First Division.[4] Similar arguments apply to

[3] Naturalization of international officials in Switzerland was practically precluded by the fact that the officials of the First Division enjoyed diplomatic status and were, therefore, neither Swiss taxpayers nor residents in the legal sense.

[4] The term "First Division" was used in keeping with the British administrative practice. According to the Report of the "Committee of Thirteen" (1930), this Division "comprises the staff which directly gives effect to the resolutions of the Assembly, the Council, and the organs of the League and carries out the preparatory work on which their decisions may be based; it consists of the present members of the Section and officials occupying higher posts."

the intermediary and clerical staffs (II, and to a certain degree III, Division). On the occasion of the Lytton Report, considerable sums were offered by Japanese agents to the clerical staff for a premature disclosure of that document. The attempt, it is gratifying to say, was wholly unsuccessful.

Slowly, rules and regulations for the recruitment of the international staff evolved. They were finally integrated into the Staff Regulations, a copy of which was transmitted to the successful candidate together with the letter of appointment by the Secretary-General.[5] As the relevant paragraphs of the Staff Regulations are hardly accessible to the public at large, it may be of some documentary value to accompany the following comments and evaluations by excerpts from these regulations.[6]

Article 9 of the Staff Regulations states that "all positions in the Secretariat shall be open equally to men and women." This stipulation reflects the considerable influence which feminist pressure groups were able to mobilize at the beginning of the long armistice. Women found, comparatively speaking, less obstacles within the Geneva administration than in any other public administration, not excluding the British civil service, the diplomatic branch of which, at that time, was still closed to persons of the feminine sex. More than a dozen women held, in the first decade, positions of administrative rank. One of them, Dame Rachel Crowdy, was in charge of the combined Opium and Social Questions Sections. When the reins of the Secretariat passed from the hands of the first British Secretary-General into those of his French successor, the administrative rôle and importance of the women officials degenerated slowly and almost imperceptibly, but steadily. Women who left were not always replaced by women. Dame Rachel Crowdy had already been replaced by a Swedish diplomatist under Sir Eric. Miss Nancy Williams, who for many years headed the personnel office and had been an able if slightly erratic chief of service, was succeeded by a Czech director of personnel. By 1938, the number of women belonging to the First Division was cut in half, and those remaining were mostly employed in technical work. They were heads of the English Interpreters', Translators', and Précis-Writers' Service, and of the Children's Information Service, as well as editors of the *Official Journal*, etc.

In fairness to M. Avenol, the second Secretary-General, it must be said that this retrograde development not only was a consequence of his per-

[5] The following quotations are based on the March, 1932, issue of the Staff Regulations. The innumerable amendments introduced by the Secretary-General, especially after 1937, have been neglected, as a rule, because they were less dictated by the normal evolution of the international administration than by the exigencies of a growing emergency.

[6] While restricted in their circulation, the Staff Regulations are not a confidential document. No breach of any official secret is therefore involved in the publication of these excerpts.

sonal views and tastes, but reflected a general development. A first consequence of the decline of democratic government in Europe was the decrease of women holding administrative rank in the various European administrations. To find women with the necessary technical qualifications and experience became more and more difficult. The *cadres* from which these women could be recruited were disappearing.

Article 10 of the Staff Regulations is devoted to the "Recruitment in the First Division." It is more revealing in what it omits than in what it specifies. Such recruitment shall "be effected with special regard to the international character of the Secretariat and the importance of securing the collaboration on its staff of nationals of various Members of the League." The term "special regard to the international character" is deliberately vague. But it implies a number of important aspects: the need of recruiting the type of person best suited for international work, and the (by no means complementary) need of distributing the available posts more or less evenly among the various Member States. The Secretary-General found himself face to face with the problem of reconciling a fair distribution of posts among the different nationals with securing, simultaneously, the best possible men and women for the available openings.

The Secretariat had to be made fairly representative of the different nationalities, cultures, and regions participating in its organization, even if no proportional representation of the Member States according to their importance or their contribution to the League budget was envisaged. It would have been absurd to deny Soviet Russia a post or posts in the Secretariat after her entry into the League, even if at that moment no vacancy existed.[7] A member representing one-sixth of the inhabited globe was clearly entitled to representation on the international staff.

The legitimate desire on the part of the head of the organization to make the Secretariat truly representative of the countries participating in the League soon was viewed by these countries as a positive right to have officials of their own nationality appointed on the staff. Some countries, among them the Poland of Marshal Pilsudski and his successors, did not hesitate to submit the Secretary-General to open pressure, at times closely approaching blackmail.

[7] As a matter of fact, Soviet Russia never claimed more than one post in the Secretariat, that of an Undersecretary-General—a purely political position. Russia showed no desire to participate in the various activities of the Secretariat. The official explanation given for this attitude was that Soviet Russia could not spare a sufficient number of qualified administrators to fill other positions within the Secretariat. The powers in Moscow probably feared that, removed from control and close supervision, some of its citizens might fall victim to capitalist contagion and begin to doubt the superiority of the Soviet system. Another explanation is that the Kremlin by this attitude wished to indicate its disinterestedness in all but the political aspects of the League work. The fact that the Russians, in spite of considerable encouragement, never presented candidates for any position within the International Labor Office lends weight to this interpretation.

The quality of the international staff was the second major aspect implied in the above-quoted passage from Article 10. To recruit collaborators of the right type was a delicate and difficult task. It could not be satisfactorily accomplished according to mere rules and standards, but clearly demanded an intuitive approach to human qualities on the part of the appointing agency.

III. QUALIFICATIONS FOR INTERNATIONAL ADMINISTRATION

To the outsider, it might seem that entirely de-nationalized individuals, internationalists by temperament and cosmopolitans by upbringing and personal taste, would be best qualified for international service. Such an opinion, however, is not subscribed to by those with inside knowledge. Experience has taught even the most fanatical adherents of the League that members of the cosmopolitan tribe of globe-trotters and persons without country or roots were, if not useless, certainly far less useful than typical Frenchmen, Englishmen, Poles, or Czechs, who, while essentially remaining nationals of their countries in their outlook and reactions, had become convinced of the necessity of an international body. Only the blending, in one person, of national characteristics with a belief in the necessity of the international work of the League enabled a person to serve with real usefulness within an organization the task of which was to reconcile national aspirations with international action.

It was nothing short of the miraculous that such a synthesis was almost reached in practice during the first decade of the League's existence. The Secretariat became a collective entity, passionately devoted to its supranational work, but never utopian nor, in a sentimental way, pacifistic. This was made possible by preference being given to candidates whose past services and experience, writings, or public activities suggested a deep sympathy for the underlying purposes of the League, but who, at the same time, had been able to gain or preserve the respect and good-will of their national authorities.

I should like to illustrate the recruiting method employed by the manner in which I myself was called upon to join the Secretariat in 1930. A post in the Information Section had become vacant for which I seemed qualified by my past activities, my age, and my knowledge of languages. Having as one of about a hundred persons submitted my application, I was subjected by my future chief, M. Comert, the director of the Information Section, in the course of a long promenade in St. James Park, to an informal but none the less serious examination. I was questioned regarding the motives which had induced me to apply for the post. This was apparently done in order to find out whether I had the kind of approach to the questions of international coöperation that would make me assimilable in the League Secretariat. It was a kind of philosophical test, a quest for my

Weltanschauung. Having passed these preliminaries, my Foreign Office was requested to state its opinion on the different candidates of my own nationality. By securing at least tacit consent on the part of the governments, the Secretary-General gained a kind of collateral security.

Other appointments were made in a less personal manner. In later years, the method of formal examination loomed increasingly large and became more and more the rule, especially for appointments in technical sections. On paper, the system of examinations looked most equitable, precluding arbitrary and undue patronage. But in practice it put the administration face to face with nearly insurmountable problems, save in regard to appointments for technical work for which a specialized type of training was required. A major obstacle was one peculiar to international administration—the difference in the educational background of candidates coming from such widely separated countries as China and Greece. It was extremely difficult to evolve a type of examination which would not involuntarily discriminate against certain candidates because of a standardized method of formulating questions and grading them. But even if it had been possible to overcome these obstacles, a difficulty of another order remained. Most of the persons applying for positions in the First Division had already achieved professional success and therefore would not willingly have submitted to an examination. The chief, if negative, value of examinations was perhaps that they provided the League with a safeguard against second-rate candidates in whose behalf strong national pressure was being applied.

In other respects, the difference of educational standards proved less of an obstacle than might be assumed. Certain university degrees constitute a fairly good common denominator, whether the candidate be English, Rumanian, or Chilean. Qualifications for higher administrative posts are fairly comparable in the countries of Western civilization. The problem becomes baffling only when it is necessary to deal with persons belonging to entirely different cultures or races. An Indian or a Chinese trained and educated in his own country would certainly better represent India or China from the point of view of the psychology of his country. But—leaving aside the language question—his lack of familiarity with the customs of the Western world and the traditions and techniques of a Western administration might make him practically useless for the day-to-day routine of an international agency—and also to his own country. The way out chosen by Geneva consisted in recruiting Asiatics trained in London or Paris, and hence thoroughly familiar with Western habits and administrative traditions. While this compromise worked admirably in the case of some Chinese, it proved unsatisfactory in the case of the Indians, some of whom could not be considered representative of their country. Certain of them considered themselves more "Oxford men" than exponents of the

inarticulate millions of India—more English gentlemen than their genuinely Anglo-Saxon colleagues. The Japanese, of course, were as a rule able to present candidates efficiently trained for their work, supremely qualified, entirely westernized in their outward appearance, but Japanese when faced with the dilemma created by the sinister development of Japanese politics.

One of the most serious problems facing the chief of personnel of an international agency can be summed up in the juxtaposition: "language proficiency versus general ability." Twenty years of experience in international administration have shown that a natural gift for languages is often in inverse ratio to other qualifications and gifts. In the case of persons whose mother tongue was English or French—the two official languages of the League—the problem was of minor importance, although sufficient knowledge of both languages[8] was required of any League official. Persons whose mother tongue was neither French nor English were at a special disadvantage. In addition to their mother tongue, a full knowledge of one of the two official languages and a knowledge of the other sufficient to carry out administrative work in it was required of them. While lack of general qualifications cannot be compensated by any amount of experience and routine, deficient knowledge of languages can be made up for, to a certain point, by any person of general ability. The prerequisite of proficiency in English and French therefore lowered rather than improved the standard of the international administration, apart from the fact that it tended to enhance the disproportionate percentage of officials whose native tongue was either English or French. In future, in my opinion, the gift of tongues should be relegated to a less prominent place in the general scale of qualifications for international work.

This raises another, and much neglected, point of importance in connection with international administration. Experience has shown that newly recruited international officials coming from national administrations or other professional activities needed, as a rule, up to a year to reach the standard of efficiency required of members of the international administration. The training was exclusively of the in-service sort. The preparation given by graduate schools of the type of the Graduate Institute of International Studies, Geneva, was of a purely scientific nature, with special emphasis on international law. It familiarized the students with the problems of international life and government rather than with administrative problems. No attempt was made, either by the Rappard Institute or by any of the European diplomatic schools or colleges like

[8] The Geneva experience proved that the "insular" British, with their alleged inability to learn other languages, were as a rule much more adroit in handling French than the French in acquiring the minimum knowledge of English needed in a bi-lingual administration.

the Vienna *Konsular Akademie,* to deal in its instruction with the technical exigencies of diplomacy or international administration. As most of the officials of the First Division were recruited at a relatively mature age (compared with the diplomatic and kindred services of the different countries), the problem was of lesser importance in the past. Coinciding with the progressive contraction of the international services, it led, however, to a dangerously false age distribution within the League Secretariat, a mistake any future international administration will have to avoid. The post-war world will probably witness not only a revival of international activities, but an extraordinary growth of all kinds of public and semi-official or private international agencies and unions in many fields of human activity. It would, therefore, be a mistake to rely entirely upon in-service training. From the beginning, future international bodies must recruit young people who will make international administration their life career. A systematic study of the possibilities and methods of training staffs for the international agencies of the future should therefore be recommended to authorities and academic bodies attempting to prepare for the future so far as it can be done in advance.

Considering the difficulties which accompany the recruiting of international officials, it is truly remarkable how few mistakes were made as long as the Geneva administration remained master of its own house. The situation changed with the rise of authoritarian or totalitarian governments. With their growth and numerical increase, the whole structure of the Secretariat was challenged to the core.

IV. HOMOGENEITY OF THE EARLY SECRETARIAT

The nucleus of the League Secretariat was composed of a body of extraordinarily able men who were passionately devoted to the idea of the League and bound by personal loyalty to the first Secretary-General. These members of the first hour had been recruited chiefly from among officials of the Interallied technical bodies. They had learned to appreciate the potentialities of supra-national organization, had acquired personal experience in the running of multi-national committees, and were eager to put their unique insight at the service of peace-time collaboration. They were prepared to put the needs of the League above their predilection for the points of view of their own governments. This applies especially to the British, including those hailing from the Dominions. These British officials were certainly the ones who most earnestly strove to be objective, fair, impartial, and international in their daily practice. Having been most actively engaged in defeating Germany, they were now least swayed by prejudices against their erst-while foes.

Something similar can be said of the original French officials, but with the reservation that they consciously or subconsciously identified the

Versailles settlement with international justice, and that they were more political-minded than their British colleagues. As to the "neutrals" of the original Secretariat, they had been chiefly recruited, not at home, but in London or Paris, where they had shown definitely pro-Allied views during the war. If the atmosphere of the Secretariat was distinctly inter-Allied in the early twenties, it was nevertheless not narrow or nationalistic, and the Secretariat itself favored, more than the governments and peoples of the countries of which it was composed, everything which could possibly facilitate the early admission of Germany into the League.

The homogeneity of the Secretariat was first challenged when Fascism took over in Italy. This development created for the Secretary-General of the League and the Director of the International Labor Office the unenviable situation of having under their command a whole group of officials antagonistic to or unpopular with their own government—in many cases unable to carry out the simple tasks of liaison. Their value as officials was thus diminished in one very important respect.

This created a very real dilemma during the first ten years of Fascism. Mussolini professed sympathy for Geneva and posed as a friend of peace. He tried to prove that Fascism, being an internal institution, was in no way incompatible with the ideals of international collaboration.[9] Italy occupied a prominent place as a permanent member of the Council, and she still coöperated fully in most of the innumerable committees of the League. Moreover, the general feeling that Italy had been treated unfairly at the Peace Conference and the belief that Fascism was, partly at least, the Italian answer to the disappointment of the nation in the Paris settlement, led to the desire to avoid everything which could possibly hurt Italy's feelings and drive her to sever her ties with the victors of yesterday. Under these circumstances, the Secretary-General had to choose between his desire to keep old trusted collaborators and, on the other hand, separating himself from the liberal and democratic elements among his Italian officials. The first meant, under the given circumstances, to sacrifice what seemed major considerations of international coöperation to considerations of personnel. To dismiss anti-fascist officials, on the other hand, was equivalent to sacrificing to political exigencies the basis upon which the international administration had been built. Dismissing officials for being loyal to the League rather than to their government would have meant impairment of the human foundation upon which the whole administration rested.

[9] While the bombardment and seizure of Corfu in 1923 clearly illustrated the dangers inherent in Fascist foreign policy, the subsequent evacuation of that island under the pressure exerted by the Conference of Ambassadors suggested a willingness on the part of Rome not to force issues and to avoid any breach with the Allies of yesterday.

In fairness to Sir Eric, it must be said that, unlike his successor, he made serious efforts to preserve his independence against outside pressure, by backing individual officials whose removal was desired, sometimes with considerable inconvenience to himself. But he was, unfortunately, unable to safeguard the prerogatives that had been guaranteed by the Covenant itself. He yielded, step by step, fighting, it is true, for each individual position, but yield he did, thus inevitably preparing the ground for more serious future defections. A similar situation faced the Director of the International Labor Office. The Secretariat and the Labor Office began to exchange its "liberal" Italians, who were not prepared to make the necessary accommodations, for people more in harmony with the new philosophy and technique of the Italian government, or offered posts to Fascist nominees while keeping the old and trusted Italians in technical jobs.

As the Fascist government at that time still wished to remain inside the charmed circle, and had, moreover, not yet fully adopted a policy of revisionism and dynamism in international affairs, the practical consequences were not immediately visible. The new Italian officials remained on the whole coöperative. They were, as a group, more Italian than Fascist. This situation was bound to change with the increasing separation of Italian foreign policies from the general line of Allied coöperation. But only with the entry of Germany into the League was international administration submitted to its first serious test of continuity. The subsequent estrangement between the Italians and Japanese and their previous allies and the evolution of a revisionist front, united in their dislike of Geneva methods and procedures, tended increasingly to destroy that psychological unity and singleness of purpose characteristic of the first years. How did Geneva stand this test?

V. THE REVISIONIST AND ANTI-DEMOCRATIC CHALLENGE

With Germany's entry into the League and the simultaneous inclusion of Germans in the League staff, a number of problems arose with which the Geneva administration had not been faced in the past. The German officials quite naturally introduced a new outlook in international problems. Their interest centered upon the questions of equality of status for the defeated countries, upon revisionism, disarmament, and the problems of minorities. They were bound to challenge opinions that had been accepted as a matter of course among the older officials. A terrific effort at impartiality was suddenly demanded of a majority of officials whose instinctive sympathies were naturally with London and Paris.

The second problem introduced by the presence of the Germans consisted in the challenge to the homogeneity of the international staff. The bulk of the older officials had made the League their career. They had lifelong contracts, and had severed all links binding them to the national

administrations of their own countries. They neither expected nor had been promised official positions in case of their return home, whereas the majority of the Germans were government officials on leave for the duration of their service at Geneva. They looked forward to returning to Germany and to resuming their previous activities in the Wilhelmstrasse in the German diplomatic service or in the ministerial departments from which they had been temporarily severed. They never made that break with the past that would have allowed them to transfer their allegiance fully to Geneva. On the other hand, they brought to their respective activities considerable administrative experience, a general civil service attitude, and that German readiness to obey orders that is at least as typical of the average German as his inclination to serve Germany first and last. As long as they were not prevented by Berlin from serving the League loyally, they were, on the whole, exemplary officials, reliable if not inspiring, and by no means disliked or distrusted by their colleagues hailing from other countries.[10]

In the case of the Italians, the coöperative attitude of early Fascism had blurred the recognition that a foreign body had entered the League organism. With astonishment first, with growing apprehension later, League officials became aware that their Italian colleagues served as agents of their government within the Secretariat and were guided in their conduct by their loyalty, not to the League, but to their home government.

The more the revisionist attitude of Rome developed, the more these Italian officials constituted a nation "cell," grouped around the Fascist Undersecretary-General Paulucci di Calbole Barone, a typical representative of Fascist party officialdom. A similar, if less extreme, situation arose with regard to other officials, as one European country after another abandoned its democratic or near-democratic régime in favor of an authoritarian, semi-fascist, or totalitarian system of government. A twofold problem was thus created, consisting in the decreasing reliability of individual officials and, secondly, in the increasing difficulty of recruiting the type of personnel suitable for international work.

There is no need to dwell upon the first aspect. As to the second, it became more and more difficult to select candidates with an international outlook who would at the same time be acceptable to their government.

[10] With two exceptions, all of the previous German League officials made their peace with the Nazis. Some attained even a kind of unsavory celebrity, amongst them Cecil von Renthe-Fink, German minister to Denmark at the time of the German invasion of that country, and the gentle Dr. Nolda, whose sinister rôle in the German invasion of Norway has been exposed by Carl J. Hambro in his record of the invasion of his country.

The very qualities that would make a candidate from such countries an ideal recruit now invariably disqualified him in the eyes of his home régime. The candidates most likely to find favor at home would be staunch nationalists, party men, potential agents. Thus the circle of persons from which the successful candidate could be chosen without slight to his government was so much narrowed down that the Secretary-General had to make appointments from among persons whom he would certainly not have chosen had he retained a free hand. These persons would instinctively be considered as outsiders by their colleagues at Geneva, and they themselves would find the Geneva atmosphere uncongenial. They were mentally and temperamentally unfit for their new tasks.

Such development created problems far beyond the comparatively minor question of individual trustworthiness or readiness to coöperate and play the game. It threatened to demoralize the whole body of those who remained loyal and were determined to maintain their allegiance to the League over and above their allegiance to their own country. As soon as one group, or a number of groups, within the Secretariat became organized on national rather than professional lines and began to play national politics within the international body, those retaining their previous allegiance and standards of professional ethics put their own countries at a distinct disadvantage. There were times, at the beginning of the thirties, when the governments of Italy, Germany, Japan, and Poland were informed by some of their countrymen in the League Secretariat of the most confidential developments, while London risked facing unknown situations. If this did not assume really dangerous proportions, it was due in part to the fact that London and Paris were engaged at the time in a policy of weakness and compliance toward the rising power and impudence of the totalitarian and authoritarian countries; it was due even more to the fact that these developments occurred at a time when the center of international policies had already begun to shift from Geneva. What happened at Geneva had, in itself, become less important. The decline of international ethics in that center was therefore of less consequence than it would have been had similar developments taken place in the heyday of League influence, during the years 1925 to 1930.

VI. CONDITIONS FOR A WORKING INTERNATIONAL ADMINISTRATION

There is no magic formula for producing a wholly efficient and reliable international administration. But there are a number of conditions that must be met in creating the basis for a working international machinery.

The most important single step consists in protecting the international official, as much as is humanly possible, against unfair pressure from out-

side. This can be done most effectively by maintaining the comparatively high level of salaries prevalent at Geneva, but even more by granting life contracts to the bulk of officials, thereby freeing them from any apprehension regarding their future. Lifetime appointments are possible and practical for most of those engaged in political and technical work. The only serious argument that can be advanced against such a policy is the danger of such officials losing contact with the national life of their own countries. This danger can be circumvented by introducing the academic device of the sabbatical year, enabling officials to resume from time to time the necessary contact with their countrymen. This would not prevent the creation of another type of appointment of shorter duration reserved for officials chiefly engaged in liaison work at home. A clear distinction, however, would have to be maintained between these two categories, preventing any identification of the *bona fide* international official with the diplomatic representative of a government within the international body. Moreover, the international official would have to be protected against other kinds of pressure by the creation of internationally recognized passports issued by the international body itself.[11] This would enable him to travel and to carry out his duties without any possibility of backdoor interference by diplomatic or consular officials of his country of origin.

The Geneva experiment has demonstrated that international administration is possible, and that it can be successful up to a certain point, even under particularly unfavorable conditions. It has shown that citizens of forty or more nations can be brought together in one service, and that differences in background, social origins, education, and psychology do not in themselves constitute an insurmountable obstacle to international coöperation. Sir Eric Drummond once jokingly declared that the quarrels that occurred during his tenure of office never arose between officials of different nationalities, as one would have expected, but rather between officials of the same origin. At a time when the world was politically and spiritually deeply disunited, Germans served in Geneva under French directors and Englishmen under a Japanese chief, as if this were the most natural arrangement in the world. It was the difference in their administrative traditions and methods rather than their national psychologies that created the difficulties that actually arose.

There is a significant lesson to be learned from this experience. Among

[11] Contrary to a widespread belief, such League passports did not exist. An attempt to obtain authorization by the Assembly to issue such travelling documents failed. This led, in the thirties, to the absurd situation of officials who had lost their nationality through denaturalization enjoying diplomatic privileges in their capacity as members of the League Secretariat, but possessing no valid passports.

the members of the League administration, nationality played a less important rôle than could possibly have been expected, up to the moment when outside influence artificially recreated barriers. Any group of officials engaged in the same endeavor, bound by the same rules and regulations, and thrown together in the same locality, is certain to develop an *esprit de corps*. The pursuit in which they are engaged constitutes more than a mere material bond. The League was no exception to this rule. Quicker than could have been anticipated, there developed among the international officials at Geneva this *esprit de corps*, a common psychology, a common defense against the outsider. This common denominator was membership in the Secretariat, and it was soon stronger than previous professions and even national differences. This development would certainly have continued and given rise to a definite type of international official. But the mounting disorganization of international life, the growing divergence of the political régimes at home, the increasing need on the part of the individual official to manoeuver for position in his own country, the difficulty of assimilating the freshly recruited newcomers belonging to an altogether different type of humankind, arrested and even reversed the development.

If such uniformity could be attained between 1920 and 1935 in Geneva, by a League whose political influence after 1928 was constantly on the decline, in a world receding with gigantic strides into the old mechanism of unrestricted power politics, it is safe to assume that, whatever the difficulties of future collective action may be, they will not be found in the assembling and functioning of an international civil service. Although the League possessed no vestige of sovereignty, and although the personal security of the individual officer was increasingly threatened as the international anarchy developed and outside influences were increasingly allowed to interfere, the common purpose proved stronger than the elements of disintegration.

How incomparably easier such a process would be if the loose association which constituted the League could be superseded, after the present conflict, by a more obligatory and coercive body of international action! Such an international agency would in a short time develop all the loyalties and devotions of old established national administrations. International government, which really would be government, not sham government, would have not the slightest difficulty in creating a civil service equal, and probably superior, to that of any individual country. Such an agency would have a unique basis for the recruiting of its collaborators, and would attract the keenest and most disinterested minds of the different nations. It could enlist the *élite* of an entire generation for its incomparably fascinating task.

RECONSTRUCTION IN CENTRAL EUROPE

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I

The area of small nations between the Baltic and the Mediterranean has always been exposed to the rivalries and pressures of the Great Powers, due to its strategic and commercial importance, and because of its location on crossroads of conflicting cultures, religions, political and economic systems. A like situation might again arise at the end of the present war when the peasant peoples of these regions find themselves faced with the growing strength of the Soviet socialism and an expanding Western capitalism, whose application of the principles of the Atlantic Charter and of the Four Freedoms might widely differ. The problem of reconstruction of this part of Europe should be examined, therefore, from the point of view of the possibility of reorganizing this zone of perennial friction and insecurity into a politically and economically balanced and stabilized unit, and into a constructive link between the two diverse worlds of ideas and of institutional practices.

The internal political difficulties of these countries, from Poland to Greece, have in the main resulted from the incompatibility of the feudal-like régimes with the growing political activation of the people. The states formed on the ruins of the Austro-Hungarian Empire inherited many of its feudal characteristics. In Poland, a military group, landed gentry, and state officials, supported by the Church hierarchy, ruled the country, while the parliament and the written constitution existed only nominally.[1] In Hungary, the landed magnates and gentry were the actual ruling classes,[2] and in Austria medieval scholasticism and clericalism were the ideological and political agents behind the authoritarian régime.[3] Of all succession states, Czechoslovakia alone seemed superficially free of feudal remnants, because this industrially advanced country had an independent and liberal bourgeois class.[4] But even this Czech bourgeoisie and its intelligentsia as a dominant group have not been quite free from a certain "colonial" attitude in regard to industrially undeveloped Slovakia and Ruthenia, which explained dissatisfaction in these regions. In the Catholic

[1] Raymond L. Buell, *Poland: Key to Europe* (New York, 1939), pp. 13, 23, 96–97, 156, 181–185, 299.

[2] *South-Eastern Europe; A Political and Economic Survey* (The Royal Institute of International Affairs, London, 1939), pp. 57–59.

[3] Ernst Karl Winter, "Salvage for a Fourth Austria," *Journal of Central European Affairs* (Apr., 1941), p. 68. See also G. E. R. Gedye, *Betrayal in Central Europe* (New York, 1939), Chap. 3.

[4] Raymond L. Buell, *Europe: A History of Ten Years* (New York, 1939), pp. 313–322.

Slovak parts of this state, the feudal forces manifested themselves in the dominant influence of the Church in all spheres of national life. Equally dominant was the Church among Slovenes; while in Croatia its political influence declined with the growth of the peasant movement.[5]

The states formed in southeastern Europe as heirs to the Ottoman Empire retained some of the main characteristics of that political system. In Rumania, Bulgaria, Serbia, Greece, and Albania, the royal courts, backed by the army, ruled their respective countries in much the same way as former Turkish pashas. This is why in all of these countries the dynasts, the court camarillas, and the army played such a preponderant rôle in internal political struggles.[6]

The net result of such a political development was that in the states of Central Europe the power remained concentrated in the hands of dominant minorities while the majorities became increasingly self-conscious and aggressive in their political behavior, demanding a share in economic and political control. These majority groups consisted of peasants, growing middle classes, industrial and agricultural workers, and national minorities. When mobilized politically into movements and parties, these dissatisfied strata, which represented the overwhelming majority of the population, became a real threat to the minorities that had monopolized the social power.

In a properly functioning democratic system, such a situation could be corrected without any great internal or international repercussions. The representatives of the majorities would increasingly tend to share the responsibilities of the government. On the other hand, the ruling minorities would endeavor to identify themselves with the interests and aspirations of the majority. Events did not take such a turn in these countries. There the ruling few, facing the threat of being overthrown by the ascending majority movements, and not experienced enough to cope with the complexities of an age of industrialism and democratization, resorted to authoritarian methods and force as a means of self-defense. The series of *coup d'états* and dictatorships in this part of the world between the two world wars was to a great extent an expression of the fears and anxieties of these privileged small groups which felt impotent against the growing strength of the organized people.

The authoritarian régimes, however, only increased the internal tensions, and central Europe became a fertile field for underground activities and revolutionary movements. It was in such conditions that Com-

[5] Dinko Tomašić, "Croatia in European Politics," *Journal of Central European Affairs* (Apr., 1942), pp. 67, 72–73.

[6] *South-Eastern Europe, op. cit.*, pp. 68–73, 78, 88, 90–94, 99–104. Greece secured independence from the Ottoman Empire in 1830, Rumania, Serbia, and Montenegro in 1878, Bulgaria in 1908, and Albania in 1913.

munism was spreading and that Fascist-like and Nazi-like terroristic organizations such as IMRO in Macedonia, Ustasi in Croatia, Arrow Cross in Hungary, Iron Guard in Rumania, and Zbor in Serbia rose and flourished. The ruling groups had to rely more and more on the army and police force, and a régime of oppression and violence resulted.

Weakened by economic and political difficulties, and unable to unite for common defense and economic coöperation, the ruling classes could not expect to be able to resist the growing might of Nazism. Besides, the ruling few were aware of the fact that an attack on their countries, whether they resisted or not, might easily mean the end of their rule. It was for these reasons that they became inclined toward a policy of conciliation. As early as 1934, the Polish government proceeded to a rapprochement with Nazi Germany and concluded a non-aggression pact for ten years. There were signs indicating that in 1934, shortly before his death, King Alexander of Yugoslavia conducted secret negotiations with Hitler and consented to the annexation of Austria. Following this policy of appeasement, the rulers of Hungary, Rumania, Bulgaria, and Yugoslavia, one after another, signed the Tripartite Pact.

The overlordship imposed by Hitler only increased the instability of this area. Both the Nazis and Fascists deepened the existing antagonisms by playing one faction against the other and by favoring one nation at the expense of its neighbors. Widespread sabotage, guerrillas, counter-guerrillas, and mass executions are the results of this policy. And there can be no doubt that the end of hostilities will find this territory in a state of chaos and anarchy unless joint Allied armed forces, including British, American, and Soviet troups, occupy the entire area and keep it occupied until a lasting solution for the whole complexity of its problems can be found.

Since the recent past of this part of the world reveals all political systems imposed from above failing against the increasing resistance of the people, the only policy that can be followed by the occupational authorities in the political reconstruction of these regions seems to be that of defeudalization and democratization. Any plan aimed at restoring the former ruling minorities to power, in disregard of the wishes of the peoples concerned, might prove disastrous from the point of view of consolidation of the area, and might easily lead to civil wars and revolutions, especially if the dissatisfied majorities should look towards the Soviet Union to support their claims. In such a case, Russia, even if unwilling, might be forced to interfere. The signs of such a possibility are already clearly visible in the factional strifes and civil wars even now developing in underground Central Europe.[7]

[7] The clash in Yugoslavia between the "Chetniks" and the "Partisans" and "Green Cadres" is an expression of the sharp conflict which exists between the feudal and the anti-feudal tendencies in that country. This cleavage seems to have

The democratization of these countries would have to be preceded by a complete demilitarization of the whole area. Speaking generally, in all of the countries the army formerly engaged in political activities. In some of them, as in Yugoslavia and Poland, the military had such influence that not even a shadow of criticism could be voiced against it. In the Belgrade Parliament, for instance, no one ever dared to criticize the army's budget or its administration and policies.[8] A privileged status, unequalled by that of any other class, was acquired and held by the army in this entire area, because it was mainly upon the support of the army that the minority rule depended. As long as such a state of affairs exists in a country, the parliaments, the "bill of rights," and any other democratic institutions have only a nominal existence; they exist as long as it pleases the army. And these countries become still more politically unstable when the army itself is split between various cliques and their feuds.

The power and influence of the militaristic groups have been justified on the ground of the necessity of defense for countries constantly threatened by aggressive neighbors. It was clearly shown in the recent past, however, that, taken separately, not one of the countries was able to defend itself, and that internal conditions prevented all of them from uniting for common defense. Their defense in the future will become even more precarious because of the new techniques of warfare which put small countries at the complete mercy of powerful neighbors. Therefore, the reasons for building up big and expensive national armies in small countries seem to be out of date. Not only are there no military reasons for such a plan, but it would prove disastrous also for economic reasons, just as it has in the recent past, for small and economically undeveloped countries to keep armies of the kind that used to absorb up to forty per cent of their budgets.

The only way in which effective defense of central Europe can be achieved is by means of a common defense plan entrusted to a regional military authority composed of the representatives of all the nations from Poland to Greece and supported by a new League of Nations, or any like international organization, in which Great Britain, the United States, and the Soviet Union would take a part.[9] Not only in such a case would the

deepened as a result of differences in the attitudes taken on this issue by the Soviet Union and by some British and American official circles. The situation in underground Poland is not unlike that in Yugoslavia.

[8] Dinko Tomašić, "The Struggle for Power in Yugoslavia," *Journal of Central European Affairs* (July, 1941), pp. 164–165.

[9] This would be in agreement with the Anglo-Soviet Treaty of Alliance of 1942 in which the two contracting parties expressed a desire "to unite with other like-minded states in adopting proposals for common action to resist aggression in the post-war period" (Art. III), and also "to work together in close and friendly collaboration after the reëstablishment of peace for the organization of security and economic prosperity in Europe" (Art. V).

military security of these regions be safeguarded, but the nations of the area would be enabled to reduce considerably the size of their armies and relieve their budgets and their policies from the pressure of militarism.

The problem of demilitarization of this area is closely connected with that of the restoration of monarchies. Monarchies themselves are feudal remnants, and once restored, they may foster the revival of some of their feudal counterparts like the landed aristocracy, personal armies, and personal bureaucracies. It was, for instance, the exclusive personal privilege of Yugoslavia's monarchs to appoint the army chiefs and to direct the foreign policy of the country; no political party or government was strong enough to interfere with these feudal practices inherited from the days of the Turkish administration of Serbia.

The danger of the refeudalization of the countries of central Europe with the help of the restored monarchies would be particularly great in those cases in which the dynasties should not be reëstablished on the basis of "the right of all peoples to choose the form of government under which they will live."[10] Not only would this be a denial of the principles of the Atlantic Charter, but such unpopular dynasts would have to revive the privileged minorities of the past in order to protect the dynastic interests. This was in the past, for instance, the case of Greece, where the restoration of the monarchy meant the strengthening of a military group that led the country into military dictatorship.

Among all feudal remnants described above, however, the abolishment of praetorianism—that is, the prevention of the rule of the military cliques —seems the most important from the point of view of democratization. Once the danger of military *putsches* is eliminated, all other feudal remnants, including the monarchies and aristocracies, would lose in significance, because in an age of industrialism the main support of the power of feudalists is their personal armies.

Once the feudal remnants lose in prestige and importance, the road for the democratization of such defeudalized countries is wide open. A further glimpse into the social structure of central Europe might give us an idea of the "age of the common man" which would develop in these countries, once the hundred million people of the area are emancipated from the pressure of the past.

II

Taken as a whole, the area between the Baltic and the Mediterranean has a rural character. Between 77 and 86 per cent of the people live in communities of less than ten thousand inhabitants. Only between three and ten per cent live in urban areas greater than one hundred thousand. There are certain differences, however, between the various countries and

[10] *Atlantic Charter*, Point 3.

sections of this part of Europe. In Croatia, for instance, 77.7 per cent of the people are engaged in agriculture, 10.4 per cent in industry and professions, 5.1 per cent in commerce, banking, and transport, and 6.8 per cent are engaged in civil service and other occupations. The proportions are not dissimilar in Rumania, Bulgaria, Serbia, Poland, Slovakia, and, to a certain extent, in Greece. In Hungary, 55.8 per cent of the people are engaged in agriculture and 30.1 per cent in industrial and commercial activities; but this still classifies it among predominantly rural countries.[12] Even in Austria and Bohemia, the only two sections of the area which are predominantly industrial, about one-third of the population is engaged in agriculture.

The low economic standard of these countries is illustrated by the fact that their pre-war import was 6–9 dollars per capita as compared with 96 dollars of imported goods per capita in Belgium and 99 dollars per capita in the United Kingdom. The main reason for these conditions is found in the fact that before the war there were about eighteen million too many people for the level of the agricultural development of these regions.[13] This agricultural over-population was a heavy burden upon the whole economy of this part of Europe, and the problem of economic reconstruction of the area seems to consist primarily in finding ways of employing this surplus manpower in a more economical manner. This means that a way should be found to provide productive employment for at least nine million active surplus people, to make them an economic and social asset instead of an economic liability.

Something might be done to improve this situation by bringing more land under cultivation. But according to students of this problem, the arable land created in this way and the industries which could be developed in connection with such a project would employ only a rather limited part of the active surplus manpower.[14] A more radical solution seems necessary, though land reclamation should not be overlooked as a supplementary measure. All the countries have tried to cope with the question by promoting industrialization. But so far this has not proved a sound

[12] *Handbook of Central and East Europe* (Zurich, 1932), p. 360.

[13] One-third of the agricultural population in Poland, Croatia, and Bulgaria represents a burden which prevents the further advance of agriculture in these countries. See Rudolf Bićanić, "Excess Population," *The Report of the British Association for the Advancement of Science, European Agriculture* (London, 1942), pp. 141–142.

[14] It is estimated that there are about forty million acres of unproductive land between the Baltic and the Mediterranean, consisting of marshes, flooded land, sandy ground, and land depleted by erosion. There are also about sixty-five million acres of forests, and a great part of this could be used for more productive purposes. Yet all the cultivable land which could be created in this way could absorb hardly more than one million surplus manpower. R. Bićanić, *op. cit.*, pp. 142 f.

remedy. Industries in the area could be built only behind high protective tariff barriers, and the industrialization benefited mainly the urban populations. In many cases, this kind of industrialization actually reduced the standard of living of the peasant, whose low cash income could not secure many of the needed but highly priced industrial products. This was due only partly to the lack of natural resources, to the high interest on capital, and to the deficiency in skilled labor. The main reason for the failure of industrialization in this part of Europe was a deficient home demand—that is, the lack of an internal market sufficiently developed to absorb an increasing output of the home industries.[15] And the only way to develop the internal market in such an overwhelmingly agricultural area is by raising the purchasing power of the broadest stratum of its population, i.e., the peasantry. But this would necessitate a radical change in the existing system of cultivation in these countries.

At present, by far the greatest portion of arable land in this area is used for the cultivation of cereals; only about 14 per cent is used for the cultivation of vegetables and fodder. The cultivation of wheat, maize, and other cereals is extensive in nature and absorbs relatively much less manpower than gardening, livestock breeding, and dairy production. Moreover, the cash income from the sale of cereals has considerably decreased, due primarily to the competition of vast, extensively cultivated, and greatly mechanized agricultural regions overseas. The export of cereals in the countries of southeastern Europe, for example, not only dropped to one-third of its level before the first World War, but had to be kept even at this greatly reduced volume by artificial means. This raised the internal price of wheat in the countries well above the world level.[16]

The replacement of the existing uneconomic production of wheat and maize by livestock breeding, poultry and dairy farming, fruit growing, gardening, and cultivation of plants for industrial use would have a number of beneficial effects. In the first place, it would absorb the greater part of the existing surplus manpower and would stimulate the development of industries connected with the processing of local agricultural products. The industries built on these foundations would have to be decentralized and kept in the villages, or close to them, in order best to absorb the remaining surplus manpower.[17] In this way, the peasants employed in nearby industries would not have to be uprooted from their native social and cultural environment, and some of the undesirable consequences of modern urbanization and proletarization would be avoided. Combined with increased incomes, this would make for more satisfactory and creative living in the rural areas.

[15] *South-Eastern Europe, op. cit.;* also R. Bićanić, *op. cit.*, p. 144.

[16] *South-Eastern Europe, op. cit.*, p. 184.

[17] At present, less than one-third of the available labor hours are used in the winter months.

Many of these industries could be organized on a coöperative basis in which peasants, too, would participate. Increased in all of these ways, the cash receipts of the peasants would raise the purchasing power and standard of living in the whole area.[18] This would prepare a sound basis for further mechanization of agriculture and for an increasing industrialization of the regions.

At present, the average size of peasant holdings in southeastern Europe is twelve acres; but many holdings are smaller.[19] In order to increase the average to a level necessary for a decent standard of living,[20] some changes in the existing conditions of land tenure will be needed, such as expropriation of the feudal estates and limitation of the size and ownership of landholdings. Once a system of small-sized farms is developed and sufficiently mechanized, these can be worked by the members of a peasant family alone, especially with the help of the new type of agricultural machines adapted to such small-sized rural properties. The economic efficiency of the small farms could be increased through agricultural coöperatives in marketing, credit, and supply of agricultural equipment.

This project of economic reconstruction, including land reclamation, the intensification of agriculture, and industrialization, presupposes a common authority to coördinate economic plans within the entire area between the Baltic and the Aegean in order to develop it into a complementary and well-balanced economic unit. Within the sphere of such a regional economic authority would come such problems as the stabilization of prices and of foreign exchange, the problem of tariff barriers, the development of means of transport and communications, wage legislation and labor migration, and the regional allocation of industries and production. But the steps taken by such a regional authority would have to be coördinated with those of an international economic authority within the new League of Nations, considering the interests of a world market and the needs of a world economic and social reconstruction. A regional economic project in central Europe, for instance, would need abundant capital equipment and technical knowledge which could not possibly be provided by these countries alone. Such a situation might easily provoke rivalries between the Great Powers over priorities of investment. In order to avoid conflicts, and to prevent the political and economic dependency which

[18] This is, for instance, the case of Greece, whose standard of living is higher than in the neighboring countries because of the cultivation of industrial plants and the development of industries processing the agricultural products, especially tobacco and currants (*South-Eastern Europe, op. cit.*, p. 158). This is also the case of the Dalmatian coast, where the peasants are engaged primarily in wine production.

[19] In 1931, the number of inhabitants per square kilometer of cultivated land was 336 in Greece, 181 in Yugoslavia, 147 in Hungary, 140 in Bulgaria, and 128 in Rumania (*South-Eastern Europe, op. cit.*, p. 158).

[20] It is estimated that three to four acres of cultivated land *per head* would be necessary.

might result from such investments, as has often occurred in the past history of these countries, the new League of Nations could be entrusted with powers of supervision over schemes of economic development in the area. The League, in which the Western Powers and the Soviet Union would be represented, should keep these territories open for investment on equal terms to the governmentalized and non-governmentalized capital exporting economies; and this would involve a study of the possibilities of investments and of their profitableness from the point of view of both the lending and the borrowing countries.[21]

The most significant result of the democratization of central Europe and of its economic reconstruction on the basis of small-sized farms and industrial decentralization will be manifested in accession to power by the political parties supported by the peasantry. This process has already been taking place in most of central European countries. In Bulgaria, Poland, Rumania, and Croatia, strong peasant movements have been seeking to develop a "peasant democracy," until checked in their endeavors by military *coup d'états*, royal dictatorships, and Nazi invasion. But these movements persist and are very active underground; their strength will grow in the course of time. The coming into power of these parties supported by the peasantry and "peasant ideologies" will have the most stabilizing effect for central European countries, as the peasants of this whole area have much in common, not only in matters of economic interest, but also from the point of view of political and cultural aspirations, attitudes, and philosophy of life.[22]

There are only four to five million industrial workers in this region as compared to sixty-three million peasants, or an active agricultural population of more than forty million; but even so, the working class in a democratized central Europe will undoubtedly have an important influence upon affairs of those countries, especially when allied with the peasants or with the middle classes. Its influence and strength will grow with the increasing industrialization.

The bourgeoisie, especially the industrial and commercial middle class, is not yet well developed in most of the countries of the area. In

[21] J. E. Meade, *The Economic Basis of a Durable Peace* (New York, 1940), pp. 112–113.

[22] The representatives of the "peasant communities" from central Europe met in London in 1942 and agreed on a common "Peasant Program" which stresses the necessity for providing the peoples of this area with democratic institutions (Preamble) and with sufficient land, agricultural coöperatives, credit, insurance, and stabilization of prices (Points 1–4); it proposes scientific improvement in land, machinery, seeds, and livestock breeding (Points 5–6), and demands development of agricultural industries, improvement in communications, lowering of tariff barriers (Points 9–11), and agricultural education and general rural welfare as essential parts of the common platform (Points 7–8).

these—primarily in such as are less industrially developed—a considerable part of the middle-class population consists of civil service employees. They cannot be relied upon as defenders of democratic régimes; in fact, in the past they easily lent their support to authoritarian systems. But along with the increasing industrialization will develop an independent middle class of small and medium-sized business men and learned professionals who, together with the peasantry and the industrial workers, will become the backbone of a democratic system in central Europe.

III

One of the immediate tasks of reconstruction will consist in eliminating the cultural friction and the national antagonisms so traditional in this part of Europe; as is well known, the difficulties of these countries and their chronic instability in the past developed on cultural and psychological as well as on economic and political grounds. If a solution of national and cultural rivalries and sensitivities is not found, all plans concerning economic and political reorganization in this part of the world will be constructed on very shaky foundations. National, cultural, and religious struggles prevented both the Ottoman and Austrian Empires from consolidating themselves in these regions. The same explanation could be given for the failure of the régimes created by the Treaty of Versailles, because the succession states, although lacking national and cultural homogeneity, organized themselves in the form of strongly centralized communities with master nations and subjected nationalities. No attempt was made to replace the former Austro-Hungarian Empire by a system of multi-ethnic confederated communities organized on the principle of ethnic equality and coöperation. The result was the heightening of hostilities and tensions between the nations of the area, the formation of antagonistic *blocs*, the rise of power politics, and final disintegration.

There is no doubt that in an age of political activation of the masses the principle of reconstruction to be applied in this direction will have to be that of self-determination as declared by the Atlantic Charter.[23] But in an area consisting of a great variety of ethnic groups with widely different levels of political and cultural development, the difficulty will consist in finding ways to apply the principles of "sovereign rights" and "self-government" without unnecessary parceling, and without endangering the stability of the whole area.

There cannot be any doubt that the principle of national independence will have to be applied in the cases in which the national consciousness and the mass will to statehood is already strongly developed and stabilized and can readily be recognized in the trends of the past and present polit-

[23] *Atlantic Charter*, Points 2 and 3.

ical behavior of a people. It is too soon to expect that in an age of nationalism these politically activated and nationally conscious peoples would be willing to sacrifice their political autonomy and cultural identity, even for a union organized on a universal basis. It is true that such a shift in allegiance would require a social and ideological revolution replacing national for international loyalties, which is not likely to happen in the immediate future.[24] Much less would any politically mature people, whose loyalties have become definitely molded to its own separate culture and traditions, accept a union dominated by another nation.[25] If the principle of "sovereign rights and self-government" is denied to such a people, the reaction resulting from the loss of dignity and from the frustrated drive toward full statehood will certainly take a violent and revolutionary course. The history of all the peoples in central Europe, from Greece to Poland, is a long record of revolutionary struggle for freedom from alien domination. This has been true also of some newer political formations, like Yugoslavia, where revolutionary movements and terroristic activities developed as soon as the Croatians realized that the new state was organized and ruled for the exclusive interests of the Serbian ruling minority, and that the Croatians not only did not gain any freedom from former oppression, but had lost even that degree of self-government which they enjoyed in the Austro-Hungarian Empire. The feeling of humiliation which the Croatians experienced in this way, and their frustrated will to full nationhood, prompted them to develop a strong movement for independence. Their reaction against the violent methods employed by the Serbian rulers to subdue them resulted in underground terroristic activities which culminated in the assassination of King Alexander, under whose dictatorship the status of Croatia reached its lowest level.[26] It is rightly expected, therefore, that after the years of Nazi and Fascist misrule and persecution of European nations there is going to be a resurgence of nationalism all over Europe. No post-war planning which ignores these realities can possibly be successful.

On the other hand, it is certain that the desire for independent nationhood does not exist in the regions with ethnically mixed populations where the different national allegiances of the various ethnic groups of the region take precedence over common territorial and other loyalties. This is, for instance, the case with Transylvania, where the allegiances of the natives to Rumanian or to Hungarian national symbols transcend their

[24] John H. Herz, "Power Politics and World Organization," in this REVIEW, Dec., 1942, pp. 1045–46.

[25] Hoover and Gibson, *The Problems of Lasting Peace* (New York, 1943), pp. 230–233.

[26] Dinko Tomašić, "The Struggle for Power in Yugoslavia," *op. cit.*, pp. 148–159.

attachments to any common local Transylvanian traditions.[27] One of the ways to solve the problem of such regions is to partition the contested territory between the contesting nations. Bosnia, for instance, which for ages has been a bone of contention between the Croatians and the Serbians, was divided in 1939 between these two nations on the basis of an amicable agreement.[28] But such a partition could be made also on the basis of a plebiscite, financed and controlled by the League of Nations or a like international authority. In either case, a transfer of populations might be necessary when the ethnic groups were so interspersed that clear lines of ethnic demarcation could not be found, and when the remaining minorities presented a disturbing political problem, as in various irredentist movements. The transfer of populations between Greece and Turkey, for instance, definitely eliminated the existing tensions and made for friendly relations between the two nations.

It is expected, on the other hand, that in a new Central Europe, whose political and economic stability will be safeguarded through a system of regional and international collective security, the imperialistic tendencies of the small nations will tend to weaken, and that the need for strategic boundaries will lose much of its former importance. In such a case, the trend of the remaining small minorities will be towards acculturation and amalgamation rather than toward irredentism.

The problem of an ethnically mixed region, however, might involve the question of ethnic pride, historical and local traditions, national aspirations, and other sensitivities. It is for this reason that its solution should be sought primarily on the basis of the wishes of the nations and populations concerned. In case, however, a solution satisfactory to all parties cannot be found, such a territory should come under the direct control and administration of the League of Nations or of a regional authority, at least until a lasting solution of its problem can be discovered.

A different case is that of territories settled by distinct ethnic groups which, although insisting on the recognition of their cultural individuality, have not developed claims to independent nationhood. The Slovenes, for instance, have advanced claims to local autonomy, but as yet have not developed mass demands for separate statehood. This is often the case of ethnic units which lack a tradition of independence and self-government, whose middle classes are not sufficiently developed, and which do not, therefore, feel sufficiently confident to form an independence movement of

[27] The Rumanian official figures for 1930 gave the following percentages for the inhabitants of Transylvania: Rumanians, 57.82, Hungarians, 24.38, Germans 9.81, Jews, 3.22, others, 4.77.

[28] Bosnia-Herzegovina is settled by Croatian-Catholics (23 per cent), Croatian-Moslems (30 per cent), and Eastern Orthodox Serbs (43 per cent).

their own.[29] In these cases, the principle of self-determination could be applied in the form of a local self-government within a multi-ethnic federal state. Such local autonomy, however, should be sufficiently advanced to meet the desire of these peoples to develop along the lines of their own standards and values. If an autonomous growth is denied to such self-conscious peoples, their reaction might easily take a non-coöperative and destructive trend. Macedonians, for instance, to whom even the right to use their ethnic name and language was prohibited, reacted with a series of political assassinations which undermined the stability of the whole Balkans.

As for the relations to be organized between the independent nations of this area, two main tendencies seem discernible in a growing variety of general and concrete proposals. One is directed toward strengthening the "balance of power" held by victor nations against the defeated peoples; the other is aimed at the abolishment of national sovereignty and toward a strongly integrated multi-ethnic community between the Baltic and the Mediterranean. It does not seem, however, that the restoration of the Versailles system of power politics could add anything to the lasting security of these regions. The Polish-Czechoslovak declaration of 1940 and the Greek-Yugoslav agreement of 1942, for instance, seem to have been attempts to renew the ill-fated "Little Entente" system in an extended form. But the idea that a particular group of nations in this area should be specifically designated to be the "basis of a new order"[30] or a "guarantee of its stability"[31] implies the domination of some peoples and the degradation of others. This would inevitably provoke antagonisms between the "victors" and the "defeated" peoples, and would definitely bar the possibility of their constructive coöperation.

On the other hand, those who propose a more radical political scheme, such as a federated state with a common parliament, a "super-state" or "supra-national" government, or a new empire to be imposed from above upon culturally divergent peoples, overlook the fact that before both the material and the psychological basis for unity is prepared, there is no chance that such an artificial creation will last, as the case of Yugoslavia has proved. The instability of that country and its downfall resulted in the main from the divergencies in social structures and dominant political philosophies in Croatia and Serbia, and from the wide differences in the standards of administration and in the levels of education in the two countries. Due to these dissimilarities, Croatian and Serb views clashed practically on all issues. This is why a common parliament meant only

[29] Dinko Tomašić, "The Struggle for Power in Yugoslavia," *op. cit.*, pp. 161–164. See the same writer's "Sociology in Yugoslavia," *American Journal of Sociology* (July, 1941), pp. 66–69.

[30] Polish-Czechoslovak Declaration of Nov. 11, 1940. [31] *Ibid.*

the heightening of the existing conflicts, and this is why the rising tensions between the two peoples reached a climax in the assassination of the Croatian peasant leaders by a Serb nationalist representative in the midst of a debate in the Belgrade Skupshtina (Parliament). If each of these two nations had had its own parliament to settle local issues, and if they had had a joint central body to discuss the problems of a common economic and military policy, such a union might have had a good chance to consolidate itself and to exert a stabilizing influence in Central Europe.[32]

The case of Yugoslavia shows that relations between the sovereign nations of this area can be organized only on terms of national autonomy and international equality, devoid of any domination or hegemony. This seems the only basis on which a genuine solidarity could develop between the countries concerned. And it is only on these foundations that an association of nations with a joint economic and military policy could be formed which would guarantee the freedom and advancement of the constituent peoples and would enable them to solidify one of the most unstable and most exposed parts of the world—an area which in the recent past has twice precipitated crises of global significance.

Once the imperialistic tendencies and mutual fears and suspicions are eliminated and a certain community of interests and ideals is realized, there is no reason why a central authority among the nations of this area should not function successfully. A central body could be organized in the form of a council, whose powers would be limited mainly to those regional military and economic matters and minority problems discussed in the preceding pages. This "Regional Council" could be composed of delegations sent by the national legislatures and elected for a definite term. On this basis, the regional authority would come into direct relations with the peoples of the area, which would not be the case if the Council should consist only of representatives sent by the national governments. In this way also the stability of the Council would not be threatened by the possible frequent changes in national governments and their policies.

The authority of the Regional Council (if created) and its strength will depend in the main upon popular support and favorable public opinion in the constituent countries. This is why it would be of special importance to devise a system of national representation in the Council which would give all the member nations a sense of equal participation in the decisions of the body, and which would forestall the feeling that one particular nation (or a group of nations) is in a position to impose its hegemony upon the rest. For this reason, an equal number of councilors delegated by each national house of representatives might be advisable, especially in cases

[32] Dinko Tomašić, "Croatia in European Politics," *op. cit.*, pp. 81–85. See the same writer's "The Struggle for Power in Yugoslavia," *op. cit.*, pp. 148–165.

where the number of peoples within such an association is limited. This system of numerical equality might be combined with a plan of proportional representation if the Regional Council should extend its authority over a larger group of nations, because on this basis the possibility of domination of one nation, or of a group of nations, over the others would be less likely. In a Council so constituted, a simple or qualified majority vote would be sufficient for reaching decisions on most of the issues. In some cases, however, when affecting the basic relations between the members of the union, a unanimous vote might be necessary.

There is no doubt that such a system of collective military and economic security, integrated within a system of world collective security, could function very effectively if organized for the whole area between the Baltic, the Adriatic, and the Aegean. But smaller commonwealths, also, with common historical, cultural, and economic ties, could be formed on the same principle. On this basis, successful Yugoslav, Danubian, Balkan, Czechoslovak, or other groupings of states could develop. But in any case a new League of Nations, in which these regional *blocs* were represented, would have to plan its own effective instruments for dealing with regional conflicts if the regional agencies should fail to solve them. Such procedures would include also changes in the basic relations between the members of the regional communities if they failed to satisfy the peoples concerned.

Cultural and political independence within a wider system of collective security and economic coördination seems to be the way by which sovereign nations can be integrated into regional and international associations without endangering their own autochthonous development. Croatia and Hungary, for instance, lived in a joint union for several hundred years, retaining their distinct cultural individualities, separate legislatures, and independent finances. But for the insistence of Hungarian nationalists upon dominating Croatia economically and politically, the union might still be alive.

Cultural and political diversification in which many groups find possibility of self-realization and of affirmation of their unique values might be very desirable from the point of view of social advancement and of a durable peace. A continuous struggle of each ethnic group, no matter how small, to assert its cultural distinctiveness by making specific contributions to the community of nations would only stimulate the growth of a world civilization, and would enrich humanity as a whole.[33] And a growing number of separate cultural and political units will only contribute to the stability of the world by preventing the formation and the expansion of imperialistic and rival empires.[34] The evolution of Russian Czardom into

[33] Quincy Wright, *A Study of War* (Chicago, 1942), II., pp. 1334–35.
[34] *Ibid.*, p. 921.

a union of republics and of the British Empire into a commonwealth of nations gives an indication of such a trend.

There seems to be no doubt, therefore, that only the independent peoples of central Europe organized into free associations to foster the ideals of all-human welfare and justice[35] will be able to lay the foundations for a better future in this area. If, on the contrary, some peoples of central Europe do not renounce the idea of domination and power politics and others are again forced into political and economic submission, the rivalries between the Great Powers, inevitable in such circumstances, might provoke a new crisis of global significance in a not distant future. The present Russian-Polish dispute and the Anglo-American-Soviet differences in the Balkans suggest such possibilities.

SMALL STATES AND A NEW LEAGUE—FROM THE VIEWPOINT OF NORWAY

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It is right that post-war planning should be made the subject of popular discussion. It is, on the whole, a healthy sign that so many books and articles are devoted to the winning of the peace, although some of them indubitably create a smoke screen of confusion. The same applies to committees and other organizations for the same purpose. These committees and their statements have two things in common: innumerable and inconclusive quotations from democratic leaders and illustrations drawn from the "success" of, or "failure" of, the League of Nations.

The "Four Freedoms," the "Atlantic Charter," the "Declaration of the United Nations," as well as other speeches, articles, and statements of all sorts are vague and all-comprising. They give ample scope for divergent interpretations. It should also be remembered that President Roosevelt and Prime Minister Churchill, important though their utterances are, speak for themselves. They cannot bind Congress or Parliament, although it is true that the British Parliament feels a strong loyalty to the leader of the nation.

These two characteristics of the declarations of program give great scope to the professors, diplomats, politicians, journalists, and other prophets who dream of the future. Those of the soberer cast of mind try not to indulge in the luxury of day dreams. They realize that the future must be built on the experience of the past. They ask searching questions about the League.

[35] On the importance of the quest for "justice" as a unifying symbol, see H. D. Lasswell, *World Politics and Personal Insecurity* (New York, 1935), pp. 249–250.

Opinions may—and indeed do—differ about the League. But certain facts can be agreed upon.

The first is that the League represents the most thoroughgoing and most ambitious effort at world collaboration yet attempted. Neither will it be contradicted that the League did create the best "international civil service," if not the only one, that has ever existed. Most people will also agree that the League achieved a signal success in the so-called technical fields, and that this work ought to be continued. It will further probably be admitted that the League has been instrumental in settling certain disputes and in preventing some minor wars. And even the most ardent enemies of the League will find it hard to argue that it ever caused wars.

Now in the fifth year of the Second World War, the peoples of the United Nations discuss a new League. The "New League" is used in this connection as a convenient term for the kind of world organization we hope will be established when victory is won.

Since this new League must have the support and enlist the confidence of all the United Nations, it might be helpful to single out one of them and see what the "public" of that state would think of such a plan. For many reasons—which the space of this article excludes from further elucidation —Norway is rather a good sample of the smaller allies in this war.

Most Norwegians would answer without any hesitation that their country would join a new League immediately. They would point out their attachment to international arbitration, to disarmament, to international collaboration in all fields, to their dependence on foreign trade, and would cite their record as a member of the existing League.

Next they would ask themselves why the old League "failed"—to use the popular phrase—and how the "New League" ought to be organized. The Norwegians knew that the old League was not perfect. Their numerous efforts to amend the Covenant and to change the rules of procedure prove that. Still, it was felt that it was not the League that failed, but the member states. This is a commonplace, but it is one of those commonplaces that must be repeated again and again. The League was only a means of collaboration. One could not at any moment take more out of it than the members were willing to put into it. This is the case in international life as well as within the nations. The best constitution is hopeless if politics is a racket and the politicians corrupt. The best courts in the most perfect system of "a government of laws and not of men" are worthless if the judges are venal. The most perfect WLB is meaningless if the parties disregard it.

The League was bound to be unimportant if the states would not use it. International courts are useless, and treaties of no avail, if all the world lives in a psychosis of fear. The fear of war is—to the Norwegian mind—one of the most potent causes of war. And one of the inherent weaknesses

of the League, one of the chief causes for fear and distrust, was—again in the deep-rooted convictions of the Norwegian public—the lack of universality. It is here suggested that the failure of the American Senate to assent to ratification of the Covenant had a very great part in creating the fear complex of insecurity. The absence of the United States from any world organization will have the same psychological results after this war.

The Norwegians do not theorize about the interdependence of the world. For them it is so obvious that they are quite amazed that others do not recognize it in the same way.

Many small things—apparently far removed from political science—make the Norwegian world-conscious in the extreme. His eating and drinking habits are, of course, quite international. He will start the day with grapefruit from Palestine or orange juice from Spain. He will continue with Kellogg's corn flakes. He will drink coffee from South America or Central America or tea from India, with sugar from Cuba. His wines are from Spain and Portugal as well as France and Germany. He smokes cigarettes from Egypt, England, or the United States, and cigars from Havana. The American films compete with the best films from France. Thomas Wolfe and Sinclair Lewis are widely read. The housewives use Singer sewing machines; and American motor cars are seen on all roads.

On the other hand, you could eat Norwegian fish in all of the Mediterranean countries and Latin America. Norwegian sardines could be bought in the village groceries in Poland and Hungary. Norwegian fish hooks were popular around the Black Sea. Norway was one of the world's greatest exporters of aluminum; her electro-chemical industry was of international importance; and so on.

One will also find Norwegians all over the world. There are more Norwegian churches in the United States than in Norway. Norwegian citizens are judges in Egypt, engineers in Turkey, civil servants in China, merchants in Argentina, and farmers in South Africa.

The Norwegian merchant fleet is the third largest in the world, and far larger than any other in the world in proportion to population. The Norwegian flag is seen in all ports and on all oceans. The Norwegian whaling fleet used to sail every year all the way from the far north of Europe down to the vicinity of the South Pole. Such a nation naturally thinks in terms of the world, and this attitude must also be reflected in the realm of politics.

The Norwegians can easily point out that universality—which does not mean immediate admittance of the enemy—never spoiled the chances of success in any dispute. The Asiatic and American members of the League Council did not prevent the settlement of the Greco-Bulgarian dispute of 1925. It was the states close to Italy rather than the others that made the application of sanctions difficult during the Ethiopian affair. Experience

seems to prove—according to the Norwegian view—that the states far removed from a conflict are more able to get the right perspective and take a disinterested attitude than are the neighbors. And since intelligence, so far as we know, does not depend entirely on geographic factors, citizens of far-away states may be able to grasp the essential characteristics of a conflict as well as neighbors.

The need for universality does not, however, mean that sub-groupings within the larger framework cannot be both possible and desirable. Certain problems can in fact be settled well and effectively by groups of states, if these groups are the natural result of practical need and entirely loyal to the aims of the universal organization.

Norwegians have their own peculiar experience with regionalism. For approximately four hundred years, they were united with Denmark and for nearly one hundred years with Sweden. But the very strong feeling of unity and the fertile collaboration among the Nordic states did not really develop until the last of the formal unions had been dissolved in 1905. Collaboration started earlier, but grew by leaps and bounds in the last generation; and the interesting thing is that it does not rest on a formal union of any kind. It springs, not from any treaty, but simply from the feeling of the peoples, from practical needs, and from a realistic conception of international coöperation.

By way of illustration, it may be mentioned that several important laws in the Scandinavian countries are the result of this collaboration. There are several important journals with editorial boards consisting of citizens from all these states. There is a fertile exchange of teachers and pupils, guest performances by the theatres, Scandinavian exhibitions, etc. And the most spectacular field of collaboration has been in economics and in foreign affairs, as shown by the meetings of heads of states, prime ministers, foreign ministers, and experts, and in Scandinavian neutrality laws before the outbreak of the present war.

This collaboration embraced first only Denmark, Norway, and Sweden. Later, Finland and Iceland were included. The last part of the development saw the addition of Belgium, Luxemburg, and the Netherlands. This last group came first into the Scandinavian orbit—if such an expression is permissible—in the field of trade. The Oslo Convention, concluded in 1930 between the Low Countries and the Scandinavian states, was an active step in the direction of economic internationalism.

This collaboration—which was brought to a virtual standstill by the action of other states—developed later into consultations also in the field of foreign politics, and it shows that sub-groups based on common interests are not exclusively of a geographic character. This common interest group may very well be called to life again after the present war. But when people talk of regional groups after the war in connection with

the states of the North, they think mostly of the Scandinavian collaboration.

The Scandinavian situation is not, it is true, as simple as it was supposed to be before the war started. Norway is the only one of these states that is a United Nation. Denmark was—like Norway—overrun by the enemy, but she did not fight back. She is not, therefore—notwithstanding her strong sympathies—one of the Allies. Nor is Iceland, occupied by the United Nations. Finland is actively in the other camp. It is difficult to visualize her future before she is out of the war.

Sweden is the only one of these countries that has not, so far, been involved in the war. She has violated the classical laws of neutrality and given the Germans certain concessions in order to keep peace. On the other hand, there is no doubt that the overwhelming majority of the Swedish people is pro-Norwegian and pro-democratic. There has been a strong revival of Scandinavian sentiment—at times a rather possessive sentiment—in Sweden during this war. There are circles who talk about a "Nordic Defensive League," and others who talk even more strongly of a "United States of the North"—very often with an open or hidden presumption of Swedish leadership. There are even Swedes who talk openly of leading Norwegian foreign policy. The answer to these speculations is, first of all, that the Norwegians like the Swedes, but do not wish to be united with them. The Norwegians are among the United Nations, and the Swedes have stayed out of the war and even given the Germans concessions directly harmful to the Norwegian cause. The Norwegians are fighting a struggle for national existence, and they will not want the benevolent tutelage of any neutral nation.

However, if Sweden joins the "New League," the Norwegians will in all probability be very happy to join hands with the Swedes within this framework. And there is little reason to believe that the Swedes will not want to join the United Nations when the war is over and the New League is created.

Many Norwegians undoubtedly want to continue some Nordic collaboration. They were proud of their common achievements. They felt that the Nordic states had shown the world a fine example of effective, friendly, and loyal collaboration. The Norwegians feel rather sentimental about it—as do the other Scandinavians. But the post-war world will have very little use for sentimentality; and the Norwegians will not forget that they have fought this war and fought it with the Allies. Norway belongs among them.

First of all, Norway wants to be a member of the "New League." The establishment of such an organization is, next to national liberation, her chief war aim. The second thing to be remembered in Norway's foreign policy is that she is a maritime power. Her interests are far-flung

and not tied down by any continental limitations. She has greater interests in the Pacific and in the carrying trade between North, Central, and South America than in many European countries. The very idea of a European union is repugnant and unrealistic to the world-conscious Norwegian. To his mind, such a plan would only mean the stifling of Norwegian trade and shipping as well as a new subjugation, under another name, to Germany's New Order, to Pan-Germany or Mittel-Europa. Norway has much more in common with the United States and the British Commonwealth of Nations than with most European states. She is not only a United Nation and a maritime state, but predominantly an Atlantic and a North Sea state.

These considerations do not imply that Norway turns her back on Scandinavia. She is still in favor of close cultural collaboration with these states, and even of economic and political collaboration, if this can be achieved within the other framework. But politically the order of importance for Norway's rôles must be: (1) United Nations state; (2) maritime state; (3) Atlantic state; (4) North Sea state; and (5) Scandinavian state.

If for any tragic reason the United Nations should not become a reality after the war, the Norwegians must, of course, look for other solutions, and there seem to be only two possibilities apart from a "New League," namely, the Anglo-Saxon group and the Scandinavian *bloc*. Both of these groups might embrace the Low Countries.

However, the Norwegians—although they must envisage the possibility of no "New League"—hope very sincerely that this new and democratic world organization will be brought into existence and that all nations, small and large, eventually even our common enemies, will join. They consider that the smaller nations which have been overrun by the Germans have much to contribute on account of their political and social maturity, their spirit of sacrifice, their discipline and democracy, so hard tried and strengthened during the occupation.

They know that the smaller nations have not always been paragons of wisdom and virtue, but they believe that the Great Powers, on the whole, do not have a better record. They are very apprehensive when they hear or read of the "Big Four." They feel that a balance of power is impossible in the future, and are convinced that the Concert of Europe cannot be recreated in the form of a "World Quartet." The history of European development between Vienna and Versailles is not reassuring. Norwegians, as citizens of a small state, cannot afford to be ignorant. They have to learn history. They know very well that the Holy Alliance and the Great Power dictatorship that followed did not—as an astonishing number of people still believe—keep the peace for a hundred years. They remember intervention in Spain, the Greek war of liberation, Polish wars of liberation, the Mexican war, the Crimean war, the Prussian wars with Den-

mark and Austria, the Franco-Prussian war, the Sino-Japanese war, the Russo-Japanese war, the Spanish-American war, the Boer war, and the two Balkan wars—just to mention the more well known of the outbursts in the "century of peace".

Norwegians may be prejudiced—and what nationality is not, in some way?—but they do not feel that the Great Powers have shown such a degree of wisdom and foresight as would entitle them to be the trustees of the world. They feel—perhaps because they are from a small nation—that the only claim the Great Powers have to rule the world lies in their strength. And power—as the leaders of the great democracies have themselves so insistently declared—should not be the only basis of the world of tomorrow.

The Norwegians admit that the Great Powers should have a preponderant weight in the council of nations. They do not believe in absolute equality, except of course equality before the law. Although superior force may be necessary to keep some small states in line, this force should be the force of the United Nations, and not of a Great Power directorate. If the small states need the authority of the Great Powers, the Great Powers, in turn, need the democratic control of a world organization in which the voices of the smaller states are heard.

Briefly, the Norwegian public thinks that the end of this war will see either a "New League" or chaos, and that half-measures will only be the prelude to new wars.

THE FUTURE OF WESTERN DEPENDENCIES IN SOUTH EASTERN ASIA AND THE PACIFIC

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The future of South Eastern Asia and the Philippines is one of the most complicated problems with which the peace settlement will have to grapple. There is a certain broad similarity between the countries concerned which is likely to be a trap for the unwary. It seems so simple to set up free and democratic governments, to equip and train citizen armies to defend their independence, and to raise the standard of living. It also seems reasonable to assume that if the 145,000,000 people of South Eastern Asia and the Philippines could be federated, their combined resources would go a long way towards enabling them to maintain their independence.

Unfortunately, deep-seated differences based on race, religion, and history are the dominating influences, and overshadow the similarities of strategic and economic weakness and lack of independence. Disunion bids

fair to increase as a result of the nationalism which is beginning to appear. The Burmese regard themselves as a master race, and have an inflated sense of their own power and superiority because of their former conquests in Thailand and Assam. The Thais have something of the same feelings towards the Malays and the Cambodians of Indo-China. One reason why the Malays asked the British to establish a protectorate over the peninsula was to safeguard their independence against Thai ambitions. This fear and hostility have been strengthened by Thai annexation in 1943 of four of the nine Malay States, and a claim to most of the others. The Malays, Indonesians, and Filipinos come from the same racial stock, but so far as the latter are concerned, centuries of divergent development have made the differences more important than the similarity in racial characteristics which is noticeable among the three peoples. Even among the Indonesians of the Netherlands East Indies, there is a disunity which threatens to grow with the spread of nationalism. Finally, all the peoples of South Eastern Asia and the Philippines fear and dislike the local Chinese communities in varying degrees, and have tried to weaken their economic power as far as they have been allowed to do so. The sole exception is Burma, and here the Indian replaces the Chinese as the object of dislike. One principal reason why a small minority of Burmese aided the Japanese was that the British had incurred their hostility because they protected the Indians against discriminatory legislation.

Religious cleavages reinforce the disunity based on race. The Malays and Indonesians are Moslems, while the Chinese, Thais, and Burmese are Buddhists, and the Filipinos are Christians. Mohammedanism is distinctly more easy-going than in India and the Arab world; but it retains a good deal of the intolerance which is a fundamental tenet of the faith. One main cause of the Moro revolt against the control of the Christian Filipinos in Mindanao in the thirties was religious antagonism. In Malaya and the East Indies, the religious difference partially explains why it is impossible to solve the Chinese problem by intermarriage and assimilation. The Moslem will not allow his daughter to marry a man whom he regards as a worshipper of idols and an unclean eater of pigs. He fears and sometimes envies the partial economic stranglehold which the Chinese has acquired in his country; but he consoles himself with the promise in the Koran that Allah will even the score by an eternity of very literal fire.

A federation would be outside the comprehension of 95 per cent of the population, and would be opposed by the small minority who did understand it. It would be a lifeless structure imposed from outside, without foundations among the peoples; and it would last only as long as its creators should continue to bolster it up. A feeling of community of interests may eventually arise; but this lies so far in the future that it is not a matter of practical politics. The post-war settlement must start from

the realization that for a long time to come the various countries will remain politically separate.

Even on this basis, no standardized solution can be applied. Conditions within each dependency differ to such an important degree that policies must be modified to fit local conditions. Malaya, for example, will have to overcome greater difficulties than any other dependency in establishing democracy. The typical Malay is a dyed-in-the-wool conservative, firmly convinced that government should come from above and never from the people. He believes that the Sultans and the aristocratic families have a hereditary right to rule, and that the ordinary man—the small farmer or fisherman—should not interfere. It is true that the ruler ought to consult the interests of his subjects; but when the government gives an order, the Malay really likes to obey it.

The principal obstacle, however, to the establishment of democracy in Malaya is that the Malays are outnumbered by the immigrant races, the Chinese and Indians. The Malays are only 42.4 per cent of the population of the Peninsula, while the Chinese are 41.3 per cent and the Indians 14.8 per cent. From the democratic point of view, the Malays are one of the least politically-minded races on earth, while the Indians, and especially the Chinese, are far more mature. They are also much more aggressive, particularly the Chinese. If the Malay sees that his interests are slighted, he feels bitter resentment, but he is not likely to take overt action, while the Chinese will do so. If democracy were established when the war is over, the result would be that the Chinese would dominate Malaya politically, as they already do to a considerable extent economically. The Malays, and especially their leaders, already strongly resent the presence of the Chinese, who have been able to pour into the country only because the British Government protected their lives and property. To place the unwanted intruder in political control of the Peninsula would exacerbate the ill-will between the two races which was beginning to show itself increasingly in the thirties.

The complications do not end here. The majority of the Chinese and Indians remain only a few years in Malaya and eventually return to their own homes. Only about one-third of the Chinese have been born in the Peninsula, and even of these some go eventually to China. Of the Indians, only five out of twelve are permanently domiciled in the Peninsula. The migrants look upon Malaya as a foreign country to which they temporarily migrated to make money, since economic opportunities were so much greater than in China or India.

A small though growing minority, particularly among the Malaya-born Chinese, have developed a Malayan patriotism and look upon the country as their permanent home. A very large number, however, still retain their loyalty to China, even though the family has been several

generations in Malaya. The growth of nationalism in China and India has strengthened the tendency to look upon them, and not Malaya, as the native country, and has retarded the development of a Malayan patriotism. The government of Chiang Kai-shek has tried for many years to promote this attitude, working through membership in the Kuomintang and propaganda in the Chinese vernacular schools. The British attempted with limited success to counteract Chiang Kai-shek's policy, since they wished to develop a sense of Malayan unity and patriotism. There can be no doubt that the Chungking government will resume this policy after the war.

The main obstacle to the establishment of democracy in Malaya is that the area is not a country, but only a geographic expression. It is the home of three separate and unassimilable races, each of which dislikes and looks down upon the other two. Only the Malays have a feeling of loyalty for the Peninsula, while the majority of the other races look upon it as a place of exile to which they have come temporarily to make money. The Malays are as yet incapable of taking part in a democratic system of government. The British Government felt that it had a special obligation to protect their interests, since it took over control of the Peninsula at their request and not by conquest. It considered that it had no right to transfer control of the Peninsula to the Chinese and Indians, and it also believed that the vote could not be given to the immigrant races until they had acquired a patriotic attachment towards the country in which they had settled. For all these reasons, it was felt to be impossible to set up the degree of self-government which exists in, for example, Ceylon. The pre-war political problem of Malaya will continue unchanged in the post-war period, unless it has been rendered more difficult of solution by the Japanese attempts to stimulate hatred of the Chinese. To lay down the goal of a Malayan democracy will be easy; the difficulty will be to give the ideal its practical application.

The Malayan situation has been treated at some length because it will present one of the most difficult questions which the peace settlement will have to tackle. All the other countries of South Eastern Asia, however, have their own peculiar local conditions, and the policy applied to each will have to be adapted to its special needs. Subject to this proviso, there are certain general problems which affect the whole area. These may be divided into the three categories of political, economic, and strategic. With the sole exception of Thailand, all the countries under review were dependencies of the United States, Great Britain, Holland, or France. The degree of self-government varied widely. The Philippines were approaching the goal of independence, Burma was well on the road towards Dominion status, the Netherlands East Indies had made some advance, while Malaya and French Indo-China had hardly taken the first steps.

The United Nations have accepted the principle that democratic governments shall be created as rapidly as possible; but the pace of the advance will differ widely, owing to the varying stages of civilization and the local problems of each dependency. Before Malaya, for example, can become a democracy, three antagonistic races must learn to work together; two of them must acquire loyalty to the country in which they have settled; and the Malays must revolutionize their thinking and become democrats instead of loyal subjects of their Sultans.

In every country of South Eastern Asia, there is a very small minority of Western-educated who are government officials, clerks, journalists, and professional men. They claim to be the people of the country, and demand the establishment of democratic government. Their support is principally urban, and they have very little influence in the villages in which nine-tenths of the population live. The typical native of East Asia is a small farmer, whose interests are practically limited to the state of the crops and the affairs of the village. Centuries of autocratic rule have created the belief that the villager has no part in government; that is the function of the mysterious beings who live in the far away capitals of Bangkok, Singapore, Rangoon, or Batavia. The farmers are exceedingly conservative, and the idea that the common man should control the government is a revolutionary break with immemorial custom, and therefore wrong. The villager neither understands nor wants democracy: his choice is a benevolent despot who will ascertain the needs of the cultivator and provide for them. There is an immense gulf between the small farmers and the politically conscious minority in the towns. This does not mean that Western control is popular: foreign rule is never popular, however benevolent it may be. There is a vague feeling of unrest, an undercurrent of revolt against the overlordship of the Westerner. On occasion, the native political leaders have been able to turn this to their own account; but it is significant that they did not do it by preaching the doctrines of democracy. In Burma, for instance, hostility to the Indian immigrants and to the British because they protected them was one powerful political weapon. Sometimes religious antagonism to the Christian government has been a useful means of incitement. The Buddhist church has great influence over the Burmese; and the priests dispensed a very intoxicating potion compounded of religion, nationalism, the vanished glories of the conquering kings of Burma, and anti-foreign feeling. In the Javanese revolt of 1927, many recruits were secured by assurance that success would mean the return of the Golden Age of the Emperors of Mataram. Taxes would be reduced, the crops would never fail, and everyone would be prosperous. For a cash contribution, the villager could buy an office at the court of the new king. The urban political leaders can spasmodically galvanize the villagers into action; but they cannot exert a continuing influence upon

them. Every attempt to do this has failed, and once the incitement of the moment has passed, the villager relapses into his customary indifference to matters outside his own narrow interests. He is not an alert and conscious Western democrat, but a tradition-bound Asiatic peasant with a vague feeling of unrest against control by rulers who are alien to him in point of view, color, and religion.

The establishment of democracy at the end of the war would mean that control would be transferred from a foreign bureaucracy to the Western-educated minority in the towns. This would be self-government, but it would not be democratic government. A wide measure of enfranchisement would not affect the situation, for the farmer would not know what to do with his vote. He would continue to be controlled by his traditional belief that all power belongs to the government. In the last election in Thailand, many of the voters regarded a seat in the legislature as a new kind of dole, and as a means of giving a bright young man a good start in life.

Another great obstacle to the successful establishment of democracy is the almost total absence of an indigenous middle class. With the one partial exception of the Philippines, the great bulk of the middle class are foreigners—Indians in Burma and Chinese in the other countries. They are the retail shopkeepers, produce-buyers and money-lenders, the mine, plantation, and small factory owners, and the professional men. Very little educated leadership is available to play the rôle which the middle class discharged in the development of Western democracy during the nineteenth century. The Chinese and the Indians cannot take the place of an indigenous middle class, since they have incurred the unpopularity which always seems to accrue to an alien race that acquires what is regarded as an undue share of the wealth of the country. This hostility towards them is growing; and it was most marked in the Philippines and Thailand, the two countries where the nationalist leaders have been most free to carry out their policies. Elsewhere the hostility of the local political parties was held in check by the Western rulers. The post-war period is far more likely to see an attack upon the economic power of the Chinese and Indians than any alliance with them.

The establishment of genuine democracy will be a slow and difficult process. It will involve a revolution in the way of thought of scores of millions of hide-bound conservatives. Education is only a partial solution: the Philippines and Burma are among the best educated and constitutionally most advanced countries of the tropics, but only a small fraction of the voters really understand democracy as apart from repeating its slogans. Moreover, the spread of education will be dependent upon the amount of funds available. In the past, it has always been hampered by lack of revenue: for example, the Philippines, when under American control down to 1935, spent, on an average, 20 per cent of the revenue on the

schools, but they never managed to provide instruction for more than about 38 per cent of the children of school age.[1] It will not be easy to find the very large additional sums needed to educate the whole population, especially when one considers the immense cost of reconstruction in the countries now under Japanese control. Education will have to be accompanied by a grant of self-government by instalments, in order that the people may gradually learn how to govern themselves. During this period of apprenticeship, one of the Western powers will have to assume the task of guidance and decreasing control in each dependency.

The economic prosperity of South Eastern Asia and the Philippines will continue, as in the past, to depend upon the extent to which they can sell their products abroad, particularly in the United States and Europe. A considerable part of the exports are the produce of the small grower with his rice fields or a few rubber trees or coconut palms. His standard of living rises and falls with the fluctuating demand for his produce in American and European markets. Large-scale production, mine or plantation, is controlled by American, European, or Chinese companies. They are as essential to the well-being of the area as the native cultivator, since the latter provides only a minor part of the revenue which sustains the elaborate and expensive social services. The bulk of the money comes from the foreign investor in the form of export taxes, import duties, income taxes, or land rentals. The prosperity of the whole area is vitally dependent upon the world price of the exports and the demand for them in foreign markets. For example, the American-Filipino Commission appointed in 1938 pointed out that the Philippines were threatened with economic ruin unless Congress altered the terms of the Tydings-McDuffie Act and kept open the American market after the islands became independent in 1946.[2]

The producers of some of the staple exports, such as tin and rubber, formed international agreements in the thirties which kept the world price of their commodities fairly stable and allowed a reasonable profit. The method adopted was to limit production to the estimated world consumption, and some of the international committees of management, e.g., for rubber, included representatives of the consumers as well as of the growers. The weak point in the agreements was that they could not control the wide fluctuations in demand, particularly in the United States. On balance, however, they were of undoubted benefit to the native small growers as well as to the Western plantations.

Industrialization was in its infancy in the pre-war period, and was largely confined to instrumentalities for preparing the local products for their foreign markets, e.g., rubber mills, oil refineries, and tin smelters.

[1] L. A. Mills, *British Rule in Eastern Asia* (London, 1942), p. 366.

[2] *Joint Preparatory Committee on Philippine Affairs Report of May 20, 1938*, Vol. I, *passim*.

Manufacturing was furthest advanced in Java, since the Dutch had begun to foster its development behind the shelter of tariffs and quotas. The main purpose was to promote Javanese prosperity by drawing off part of the excessive population which was trying to make a living by agriculture. More could be done in the other dependencies to encourage the growth of small industries which would supply the domestic market and replace imports. In most cases, this would require protective tariffs, since pre-war experience showed that local manufactures could not compete in price with Japanese, Chinese, or Indian imports. The development of manufacturing is not compatible with strict adherence to the Open Door. Moreover, manufacturing for the domestic market can be on only a small scale, since the local demand is limited. Any output on a large scale would have to find foreign markets, and this depends upon the tariff policies of the rest of the world. The pre-war experience of Hong Kong was that China and most other countries except Great Britain raised their tariffs to exclude the island's manufactures.

It seems reasonably safe to assume that the economic structure of South Eastern Asia will remain fundamentally the same. The producing countries will continue to depend for their prosperity upon the demand for their exports in foreign markets over which they have no control. The manner in which the Open Door policy is applied after the war will have a vital effect upon their standard of living. Everything will depend upon whether it is to be one-sided or reciprocal. If the industrialized nations demand entrance for their manufactures, but reserve the right to impose protective duties upon exports, it will be impossible in the long run to raise the standard of living in the dependencies. Ultimately, too, it will be impossible for the dependencies to buy the manufactures which the industrialized nations hope to sell to them, if hostile tariffs which prevent the sale of their exports preclude them from acquiring the necessary foreign exchange. There can be no complaint if, for example, the new synthetic rubber industry is able to hold its own in open competition with plantation rubber. If, however, it proves impossible to do this without the aid of a high tariff, then a very serious blow will be dealt to the prosperity of the tropics. There is a genuine risk of a conflict between two of the principles of the United Nations, viz., the Open Door and raising the standard of living in the tropics. It is worthy of note that one reason why the Open Door was abandoned in the Netherlands East Indies in 1933 was that the government might acquire a bargaining power. Larger import quotas were offered to the foreign countries which agreed to buy increased quantities of the exports, and vice versa. The great question about the Open Door is whether it will open both ways or will admit only one-way traffic.

Money will have to be found for an expansion of the social services far beyond the pre-war levels, in addition to the large amounts which will be

needed to repair the destruction caused by the war. Part of the contentment with the present low level of subsistence is due to the loss of vitality caused by tropical diseases, and the remedy is improved medical and health services. Education, among other results, will enable the small farmer to hold his own better with the village money-lender *cum* shopkeeper *cum* produce-buyer. The millstone of rural debt will have to be lightened by a greatly expanded system of rural credit. Many of the most essential reforms can never pay for themselves in terms of money. In slum clearance, for example, the beneficiaries cannot afford to pay high enough rentals to cover the cost of interest and sinking fund. Industrialization will help to some extent, and will often have to be financed by foreign loans.

These reforms will require far larger financial resources than the various governments are at all likely to command, even if the pre-war rates of taxes are raised considerably. It will not be practicable to float large domestic loans, for there are no accumulations of indigenous capital in South Eastern Asia. The peoples lack thrift and foresight, they tend to spend what they have on the desire of the moment, and they vastly prefer agriculture and fishing to other forms of economic activity. These characteristics largely explain the dominance of Western and Chinese capital, and they also mean that it will be a long time before indigenous can replace foreign capital. The campaign against the low standard of living will have to be financed principally by loans from abroad, and particularly from the United States and Great Britain. Large loans will not be forthcoming unless the debtor countries are able to repay them in the long run, and ability to do so will depend upon whether they are able to sell their exports abroad. In the last analysis, improvement of the social services depends upon the tariff policies of the industrialized nations.

The provision of strategic security will require the acceptance of military as well as political and economic responsibilities by the principal Allies. The Philippines and South Eastern Asia will be as unable to defend themselves in the future as in the past. Political independence and the creation of citizen armies would be ineffective against the war industries of a great power, as they were in 1942. The Filipinos had both of these things, and in Bataan they had a strong defensive position, far superior to any that existed in the Netherlands East Indies, Malaya, or Burma. All this served only to delay the Japanese conquest, because it was an inadequate substitute for the superior number of the attackers and the dependence upon imported aëroplanes and other types of matériel. With the exception of the East Indies, all of the countries under review have a small population; and this, together with their lack of heavy industries, makes their security dependent upon the protection of the Great Powers.

This means principally the United States and the British Empire. These must avoid the blunders of the inter-war period—disarmament car-

ried to the point of futility, coupled with unwillingness to use such force as was available. In the long run, peace will be uncertain unless it is supported by adequate armaments and the determination to use them promptly. The Allies must have predominant naval and air power, and the bases which are indispensable for their use. There must be secure sea lines of communication linking the South Western Pacific with the United States and Great Britain. When the various peoples receive political independence, their sovereign rights must be limited so that they will play their part in the general scheme of collective security. Permanent peace will be jeopardized if weak sovereign states are created as they were in Europe after the last war. Above all, there must be close and continued collaboration between the United States and the British Empire. Pearl Harbor, Port Darwin, a restored Singapore, and the other naval and air bases will have to be available without restriction to the armed forces of the permanent Allies. If the United Nations drift apart, and the members have to fall back upon national self-help, then sooner or later the world risks the outbreak of another great war in the Pacific.

Until the dependencies become capable of managing their own affairs, they will have to remain under foreign tutelage. Joint international control would be a bad solution. The colonial peoples would resent it as a retrograde step: they want independence, and would regard international government as a device to postpone it. For another thing, joint international control has been prolific of friction and disputes in the areas where it has been tried. It would be wiser to follow the principle of the League mandates, giving a single state sole and undivided responsibility for the government of each dependency. The most suitable guardians during the period of transition towards self-government are the former colonial powers. The British, the Dutch, and the rest have an experience and a knowledge of local needs which no other nations possess. The British and the Dutch especially have a good record in the matter of social services and in the very difficult policy of promoting self-government.

The United Nations will require some formal means of collaboration to carry out their postwar policies. Perhaps the most suitable would be the continuation of the present Pacific Council, with the addition of representatives of the colonial peoples. One weakness of pre-war tropical administration was that the problems were often similar, but the governments had little knowledge of one another's policies and their results. Interchange of information and, on occasion, of technical experts would save a good deal of wasted effort. The Pacific Council would secure, as far as possible, a common policy in the economic development and tariff policies of South Eastern Asia and the Philippines. It would be the agency for floating international loans for economic development and improving the standard of living. It would receive regular reports from the colonial governments,

and have the power to require information and explanation from them. This could include the right to send out commissions of inquiry to make investigations on the spot. The Council would also review periodically the progress made in the promotion of democratic government in the dependencies, and in the raising of their standard of living.

The precise powers of the Pacific Council must depend upon the degree of responsibility which the members are prepared to assume. If the present colonial powers are to remain solely responsible for defense of the dependencies and for their economic and social progress, it is obvious that they cannot be subjected to control from states which decline to accept any responsibility. In this case, the Pacific Council would have only advisory and consultative functions. The Council could be given wider than merely advisory powers if the states which have no colonial possessions were prepared to accept, as part of an international system, their proportionate share of responsibility for the security and economic development of South Eastern Asia and the Philippines. In this part of the world, as in others, the whole program of the United Nations depends for its success upon the extent to which the Great Powers, and particularly the United States, are prepared to take their part in a collective system.

NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

Political and economic problems arising after the war will be the theme of the joint meeting of the American Political Science Association, the American Economic Association, and the American Society for Public Administration, scheduled for January 20–23, 1944, in Washington, D. C. Plans for this meeting got under way last June, following a meeting of the officers of the three Associations in Chicago.

The program arrangements are in charge of Dr. Marshall E. Dimock, of the War Shipping Administration, representing the American Political Science Association, Professor A. B. Wolfe, of Ohio State University, representing the American Economic Association, and Mr. Louis Brownlow, of the Public Administration Clearing House, representing the American Society for Public Administration. An attempt is being made to relate all meetings to a central theme, to bring about an integration between the three disciplines and their speakers, and to secure a logical progression from one phase of the analysis to another.

Professor John M. Gaus, of the University of Wisconsin, has assumed responsibility for developing the first part of the program, which deals with the objectives of a free society. The second segment is concerned with representative government, and arrangements are being made by Professor Arthur W. Macmahon, of Columbia University. This is followed by problems of bureaucracy in public administration, under the guidance of Professor Pendleton Herring, of Harvard University. The fourth section of the program will deal with public law, with particular reference to judicial control of administration and problems of civil liberty. This section is being developed by Professor Carl Swisher, of Johns Hopkins University. The fifth and final area of the program, that dealing with international organization and politics, is under the leadership of Professor Clyde Eagleton, of New York University.

It is planned to start the sessions on Thursday evening, January 20, with prominent national speakers, who will deal with the international theme. The concluding sessions will be held on Sunday, January 23, when the entire day will be devoted to problems of international organization. The several Associations are making arrangements to hold metropolitan meetings of their members to synchronize with the national meeting held in Washington, and it is expected that some of the principal addresses at Washington will be broadcast to the local groups. It is the consensus of opinion in all Associations that as strong a program as possible should be developed, because if the three disciplines have anything important to say, it should be said in the period immediately preceding the peace, and in the period of economic and political reconstruction following.

The Executive Council of the Southern Political Science Association voted recently to hold a brief program and business session of that organization in conjunction with the January meeting of the American Political Science Association. Professor James Hart, of the University of Virginia, vice-president of the Southern Association, is chairman of a three-man program committee which will complete arrangements for the meeting.

Mr. Hjalmar Koht, a former foreign minister of Norway, is giving two courses at the University of Chicago during the autumn quarter, one dealing with the democratic institutions of Norway, the other with recent Scandinavian history.

Since last May, Professor Harwood L. Childs has been on leave from Princeton University and working with Division III of the Overseas Branch of the OWI, which is concerned with an informational policy toward Germany, Austria, Switzerland, and the Netherlands.

Professor Pitman B. Potter, of Oberlin College, has been made managing editor of the *American Journal of International Law*, succeeding Mr. George A. Finch, who retains connection with the journal as editor-in-chief. Professor Potter will remain at Oberlin.

Professor Eric C. Bellquist is on leave from the University of California, and is serving as Principal Regional Specialist, Region IV (Scandinavia) of the Overseas Branch of the OWI. Professor Bellquist has responsibility for policy and programming for Sweden, and is charged with supervision of the Stockholm outpost.

Dr. A. R. Hatton, emeritus professor of political science at Northwestern University, and visiting professor of government at the University of Texas during the "long sessions" of 1941–42 and 1942–43, has been called to the University of Puerto Rico to serve during 1943–44 as special adviser to the Chancellor on the organization of a new school or division of public administration. Professor Hatton will teach courses in public administration and municipal government and will hold the title of visiting professor of political science.

On June 30 of the present year, Major-General David P. Barrows, professor of political science and former president of the University, retired from active service as a member of the University of California faculty after an association covering thirty-three years. He is now devoting his time to radio-broadcasting and writing. As a news commentator, he broadcasts three nights a week for the Union Oil Company of California, over the Mutual network, throughout the Western states. Professor Frank M. Russell has succeeded him as chairman of the department at the University.

At the University of Wisconsin, four members of the department of political science have resumed their regular posts after absence of a year. Professor John M. Gaus has returned from Harvard University, Professor William Ebenstein from travel and research in Mexico, Professor Llewellyn Pfankuchen from the Department of State, and Professor John T. Salter from Stanford University. Professor Pfankuchen has been promoted to a full professorship and Professor Ebenstein to an associate professorship. Professor David Fellman, who taught at Wisconsin from September, 1942, through the summer session of 1943, has returned to his position at the University of Nebraska.

Mr. Winston B. Stephens, coördinator and director of training, U. S. Civil Service Commission, has been given leave to accept an appointment as visiting associate professor of political science at the University of Chicago, in order to participate in the Army Specialist Training Program. Mr. Stephens is concerned with training a group of Army personnel officers.

Professor Rodney L. Mott, of Colgate University, has been commissioned as major in the Specialist Reserve of the U. S. Army, and has been attending the School of Military Government at Charlottesville, Va.

Professor Victor Jones has taken leave from the University of California for the year 1943–44 to serve as executive assistant to the chairman of the 10th Regional National War Labor Board, and as acting director of the Division of Administrative Management.

Professor Roger H. Wells, of Bryn Mawr College, is serving as a panel chairman under the Philadelphia Regional War Labor Board.

Professor Dorothy Schaffter, a member of the faculty of Vassar College since 1930, has been elected president of Connecticut College for Women, succeeding Dr. Katharine Blunt.

Professor James T. Watkins, IV, of Ohio State University, has been commissioned lieutenant in the U. S. Navy and is stationed at Fort Schuyler, New York.

Professor Fritz Morstein Marx, on leave from Queens College for military duty, has been "loaned" by the Army to the U. S. Bureau of the Budget and began his new work on September 1.

Dr. Donald G. Morgan, formerly a member of the faculty of Trinity College, has been appointed instructor at Mount Holyoke College.

At Wayne University, Drs. Carl O. Smith and Charles W. Shull have been promoted to associate professorships, and Mr. Maurice M. Ramsey has been advanced to an assistant professorship.

Dr. Phillip Monypenny, who during the past three years has taught at the College of the City of New York, has been inducted into the U. S. Army.

Professor Hilton P. Goss is on leave from the State College of Washington, and is serving as an instructor in the Pilot School at the Army Air Base at Santa Ana, California.

Professor William Anderson, of the University of Minnesota, has been appointed an associate fellow of the Library of Congress.

Dr. H. B. Howerton, recently advanced to full professor and head of the department of political science at the University of Mississippi, has been granted an indefinite leave of absence to act as civilian educational advisor to a STAR unit located on the campus of the University.

With the institution of the Army Specialized Training Program at the University of California, members of the political science staff have been asked to participate in instruction. Dr. Hans Kelsen, visiting professor of political science, is teaching in the European Area and Language program, and Professor N. Wing Mah is taking part in the parallel Far Eastern Area program.

At Stanford University, Professor Edwin A. Cottrell is director, and Professor Philip W. Buck assistant director, of the European Area and Language School and the Civil Affairs Training School. Professor John B. Mason, of Fresno State College, has been added to the staff.

Professor G. Leighton LaFuze, formerly of John B. Stetson University, is now teaching history at the University of Florida in the war training program for the Army Air Forces and the Army Specialized Program.

Mr. Jacobus tenBroek, instructor in public speaking at the University of California, was appointed lecturer in political science for the summer term of 1943 to conduct the upper division course in constitutional law of the United States, in the absence of Professor Charles Aikin, now serving with the OPA.

Dr. Earl C. Campbell, of San José State College, was appointed lecturer for the summer term of 1943 at the University of California to offer courses in comparative government, elements of political science, and public personnel administration, in the absence of regular faculty members on leave.

Professor Hans J. Morgenthau, formerly of the University of Kansas City, has been appointed visiting associate professor at the University of Chicago for the first two quarters of 1943–44 and will be in charge of courses regularly taught by Professor Quincy Wright. In March, he will join the Institute of International Studies at Yale University.

Lieutenant-Colonel O. W. Wilson, Corps of Military Police, and professor of police administration at the University of California, has received an assignment to overseas duty.

Dr. G. Homer Durham, who resigned his position as assistant professor at Utah State Agricultural College to accept a similar post at Swarthmore College, has returned to Utah State as an associate professor.

At New York University, the Institute on Post-war Reconstruction opened its second series of conferences on October 6, with scheduled addresses by leading economists, business men, labor leaders, and directors of several national post-war planning agencies. The director of the Institute was Professor Arnold J. Zurcher.

MEMORIAL

Albert Bushnell Hart. The death of Albert Bushnell Hart at Cambridge, Massachusetts, on June 16, 1943, a few weeks before his eighty-ninth birthday, brought to a close the long and fruitful career of a sturdy, vigorous American who exerted a wide influence upon the development of the social studies, upon public affairs, and most of all upon those who had the privilege of studying and working with him. Hart received the bachelor's degree from Harvard College *summa cum laude* in 1880, a degree which he almost lost at the last moment because he was caught assisting at a bonfire of door mats in the Yard. "Eighty" was also the class of Theodore Roosevelt, and the two always maintained the lively and intimate friendship which began in college.

For his graduate work, the young historian went to Freiburg, where he studied under von Holst, and received the degree of doctor of philosophy in 1883. That same year he returned to teach at Harvard, and in 1897 he was made a professor of history. In 1910, he changed his departmental affiliation and was chosen Eaton professor of the science of government.

During his forty years of teaching, Professor Hart covered many subjects. He dealt stimulatingly with federal government, administrative geography of the United States, people of the United States, politics and government, and diplomacy. But his most famous and popular course was History 13 (later Government 13), a course in constitutional and political history, which one of his most noted students, Samuel Eliot Morison, calls "a great experience." The biographer of Columbus was but one of the many in whom "Bushy" Hart (the nickname derived rather from his flowing beard than from his middle name) aroused interest in the social studies and to whom he gave encouragement and advice.

Nor was Hart's influence confined within the walls of his own college. He was known throughout the United States as a lecturer, writer, compiler, and editor. His lectures awoke in thousands an appreciation of their country's history and political way of life. Students found knowledge in his *Formation of the Union*, his *Actual Government*, his *Slavery and Aboli-*

tion, and his *American Ideals Historically Traced.* A severe critic might say that some of his books did not always show profound scholarship; and indeed his active mind refused to be chained to one subject long enough to plumb its depths and add every conceivable footnote before turning attention to something else; but no one can deny the influence for good that his writings exercised. And scholars must be forever grateful to him for instituting the *American Nation* series and for securing for those 28 volumes the best historians the times could produce. This series was initiated by Professor Hart because, to use his own words, of a need to "pay greater attention than in any previous coöperative work to the development of the West, the South, and the Far West, as well as the Atlantic region, the cradle of the Republic." He started the project in 1902. It was finished in 1907 (with a supplementary volume in 1917), and the work had been done by twenty-four authors, the editor-in-chief included. The result of these labors has been well called "a great and enduring monument" to him to conceived its plan. Hart's editorial work further included the *Cyclopedia of American Government,* manuals, guides, and numerous source-books on American history and government; membership on the Board of Associates of the magazine *Current History;* and fifteen years' service as editor of the *American Year Book.* The sum total of all his literary work—books edited, written, or compiled—runs to over a hundred titles, and this, it must be remembered, does not include countless articles.

As a citizen, Hart's activities were as diversified and as vigorous as those of teacher and writer. As stated by Professor Morison, he was "more closely articulated with the stream of American life than any other academic historian of our time." He was president of both the American Historical Association and the American Political Science Association. He interested himself in persecuted Armenians and in American Negroes, serving for some years as trustee of Howard University. He was an early advocate of woman suffrage. He was one of the board of governors of Mooseheart, in Illinois. He served well his own state of Massachusetts when, as a member of the constitutional convention of 1917–19, he was chairman of the committee on amendment and codification. And he was ever an enthusiastic supporter and campaigner for his old friend, Theodore Roosevelt, especially during the Bull Moose days.

For six years after he retired, he devoted much of his time to serving as a member and as historian of the United States Commission for the Celebration of the 200th Anniversary of the Birth of George Washington.

A loyal and patriotic American who taught love of country and imparted to others a better understanding of our national traditions, Albert Bushnell Hart contributed immeasurably during his long life to the furtherance of those ideals which meant so much to him, and helped greatly "to build up the moral strength of democracy."—A. CHESTER HANFORD.

Occupied Denmark Holds a General Election. A general election held, with the permission of the invader, in an erstwhile democratic country is in itself a noteworthy event. When the voters in such an election proceed to cast, not only the heaviest vote in the nation's history, but an overwhelming vote against the Nazi-sponsored party, the event becomes especially noteworthy. Just why the Nazis permitted such an election in Denmark on March 23, 1943, is not entirely clear. One explanation is that they expected to point to the election as an example of generosity toward occupied countries. The Germans have insisted ever since its occupation that Denmark is still independent; and such insistence would have seemed somewhat incongruous if the election of the Folketing (the lower house), which, according to the Danish constitution had to take place not later than April, 1943, had been abandoned. It is not unlikely that Scavenius, the Danish prime minister, argued that without such elections his government would be unconstitutional.

While this election cannot be called a free election in the full sense of the word, there seems to have been a certain amount of campaigning through the newspapers, by the distribution of pamphlets, and even by the holding of party meetings. It is reported, for example, that the Conservative party alone held thirteen meetings in Copenhagen during the campaign. The campaigning consisted largely of exhortation that the members of the electorate vote for the candidates of the party which they had supported in previous elections. This, of course, carried the clear implication that they should not vote for the Danish Nazi party, to the support of which the Nazis are reported to have contributed large sums of money.

The five democratic parties—Social Democratic, Radical Left (these two made up the coalition government at the time of the invasion), Conservative, Liberal Left, and the small Justice Union party—worked together in urging the voters to support any one of them. A sixth party, the Agrarian, which appeared on the political scene in 1939, is suspected by some observers of having slight pro-German leanings. A seventh is the Dansk Samling—loosely translated, "Danish Consolidation party," led by Arne Sörensen, openly opposed to the democratic parliamentary parties. This last-mentioned group is, nevertheless, clearly anti-German; although Sörensen is accused, perhaps with some justice, of being anti-democratic. The eighth party to present candidates was the above-mentioned Danish Nazi group. The Communists, who held three seats in the lower house at the time of the invasion, were not allowed to present candidates.

The vote on March 23 was, as indicated above, the heaviest in the history of Denmark. Very likely it involved a higher percentage of popular participation than has ever been witnessed in a general election

in any democratic country. A total of 2,009,295 votes were cast, as against 1,699,899 in the next preceding election in 1939. In 1939, 79.2 per cent of the voters participated; in 1943, 89.2 per cent. Of the total vote, 94.5 per cent was cast for the five democratic parties. If we add to these the votes of the Danish Consolidation party, which received 2.1 per cent, the total anti-German vote aggregates 96.7 per cent. In spite of the suspicions on the part of some observers that the Agrarians have mild Nazi leanings, other commentators list this group as anti-German. If we add the Agrarian vote of 1.2 per cent, the anti-German count totals 97.8 per cent. The remaining 2.2 per cent of the total vote was cast for the candidates of the Danish Nazi party.

All of the five democratic parties, with the exception of the Justice Union, made substantial gains over 1939. The Social Democrats, the country's largest party, made the greatest gain in actual number of votes, while the Conservatives made the greatest gain in proportion to size. The Agrarians polled less than half as many votes as in 1939. The greatest proportionate gain was that shown by the Danish Consolidation party, which garnered four times as many votes as in the preceding election. Since its total vote, however, is only 43,000 out of two million, such a gain may have little significance. There is a possibility that Sörensen may emerge as a leader against parliamentarism in Denmark. Because of his strong anti-German attitude, there is, however, no likelihood that he will become a Danish Quisling. On the whole, the result of the elections clearly indicates that democracy, parliamentarism, and strong anti-Nazi attitudes retain well-nigh universal support of the Danish electorate.[1]

BEN A. ARNESON.

Ohio Wesleyan University.

[1] The information on which this note is based was obtained through the courtesy and coöperation of the Royal Danish Legation at Washington.

BOOK REVIEWS AND NOTICES

Regulatory Administration; An Exploratory Study. Edited by George A. Graham and Henry Reining, Jr. (New York: John Wiley and Sons, Inc. 1943. Pp. v, 254.)

This work consists of a general introductory analysis of regulatory administration by Professor Graham, five essays on specific broad fields of regulation ("Police Administration," by O. W. Wilson; "Regulation in Public Health," by Gaylord West Anderson; "State Labor Law Administration," by Henry Reining, Jr.; "Public Utility Regulation," by William E. Mosher; "Regulation of Railroads," by Wilbur La Roe, Jr.); and a closing article entitled "The Location and Utilization of Authority in a Regulatory Agency," by Leon Carroll Marshall.

The last-named contribution is not of the same nature as the others. It stands as an authentic and detailed case report of the confusions of purpose and authority in the Division of Review of the NRA in the post-Schechter Case period, when NRA as a whole was in liquidation. Students of administration need many more such peeps into the inner workings of large-scale public agencies.

Each of the five essays on functional fields is an authoritative survey of the whole or some major part of the administration of the function concerned. Those on public health and public utilities are most comprehensive, since they deal rather impartially with national, state, and local levels of administration. That on police emphasizes urban police organization and methods, while that on railroad regulation deals almost entirely with the Interstate Commerce Commission. It is a truism that in collaborative studies the works of different contributors are very uneven. In this case, each is of a high order of excellence. One could hardly expect to find better surveys of the functions covered in equally short compass. Nevertheless, each author's emphasis and point of view is distinctive and different, and this is due only in part to the dissimilarities in the specific fields covered.

Professor Graham lays down as "the basic objective of the problem" of public regulation the aim "to get people to follow a socially desirable course of action." He follows this up by saying that "viewed broadly, regulation is the process of getting people to follow a line of conduct that is in accord with public policy." It is no adverse criticism of the other authors to say that only Mr. Graham's co-editor, Dr. Henry Reining, Jr., puts much emphasis on this phase of his topic, or tells us a great deal about how consent is won, and how socially-desirable habits of action are created through public regulatory efforts. Mr. Reining's description of coöperative methods in the administration of state labor laws is a fine contribution to the field. It is likewise no depreciation of the volume as a whole, nor of

Mr. Graham's compact and incisive introductory essay, to say that his hoped-for approach to the study of public regulation has not been fully adopted by the other contributors. Showers-of-the-way are, almost by definition, ahead of their time.

WILLIAM ANDERSON.

University of Minnesota.

Radio Networks and the Federal Government. By THOMAS PORTER ROBINSON. (New York: Columbia University Press. 1943. Pp. 278. $3.50.)

This book deals with the control of an industry which has come into being and sprung to great size almost over night. It tells the story of industrial growth and of governmental attempts at regulation during the brief periods of infancy and adolescence and analyzes the present complex of controversies between the industry and the Federal Communications Commission. The author finds the problem of regulation involved in "a significant and conflicting relationship between a business enterprise, using a public franchise for private profit, and government, aiming to insure that the broadcasting lanes through the ether, which belong to the people, will not be commercially exploited in a manner inconsistent with the public welfare" (p. 4).

Both the specific regulations and the machinery of control have evolved in the wake of the rapid growth of the industry, with maladjustments resulting from poor coördination. Some of those maladjustments derive from the fact that the direct impact of Commission control is upon individual broadcasting stations to which the Commission issues temporary licenses prescribing power and wave lengths, whereas the heart of commercial vitality is not in the individual stations, but in the networks which own, or operate under lease, large numbers of individual stations. After an extended survey of network broadcasting which Congress coerced it into making, the Commission issued a series of broadcast regulations calculated to eliminate certain evils, such as those of monopoly and territorial discrimination, which have grown up with network control. Two of the major network organizations kept the regulations in litigation over the power of the Commission to issue them until May, 1943—after the date of publication of the book here discussed—when the Supreme Court upheld the exercise of power.

The author approves neither of the abuses which flow from the operations of network organizations nor of the attitude and methods of the Commission in attempting to do away with the evils. He finds that the Commission has exercised control with an uneven hand—that it "can fairly be charged with political bias and favoritism in the past" (p. 202). He finds this fact disturbing even though a new leaf has been turned. Furthermore, while the public has suspected the Commission of surrender

to industrial influence, network operators and their friends have denounced it for exceeding its regulatory powers. They have accused it of exercising a power of censorship not authorized by the regulatory statute and of writing an anti-trust statute of its own on the basis of certain general phrases in the Congressional enactment. Presumably the recent decision of the Supreme Court upholding the controversial slate of regulations will do something to quell these accusations, but an attitude of coöperation between the regulator and the regulated is not yet in sight. Although the author admits and discusses at length the necessity of revision and extension of regulatory power, he argues that important present regulations have been inadequately considered by the Commission and are poorly adapted to meet the joint needs of the public and the industry. He urges the continuation of both scientific and governmental adjustments to adapt new discoveries to service of the public. As far as entertainment and news broadcasts are concerned, he approves of the present system of operation on the basis of revenues derived from advertising; at the educational and cultural levels, however, he sees the need for some form of non-commercial support.

CARL BRENT SWISHER.

Johns Hopkins University.

Manpower for Victory. BY JOHN J. CORSON. (New York: Farrar and Rinehart, Inc. 1943. Pp. xii, 299. $3.00.)

With a friendly introduction by Chairman McNutt of the War Manpower Commission, the former director of the United States Employment Service undertakes to clarify the "manpower muddle"; and he does an excellent job. Fitting the nation's people to total war is a complicated problem. In numbers, it means a shift from eight million unemployed at the beginning of 1941 to 61.5 million people either in the military or at work by December, 1943. Corson's book is a survey of this amazing achievement to date, with recommendations for the hardest part yet to come. Under primer-like headings and with lucid exposition, he analyzes the needs of the military, of war industries, and of the civilian economy; describes the manpower sources; and explains the machinery by which men and women are trained and directed into the war effort.

The manpower problem became a muddle for many reasons. Too many federal agencies got in each other's way, and no one had adequate power to coördinate them. Stepping gingerly around political dynamite, Washington acted by indirection and subterfuge, creating confusion, suspicion, and resentment. The Army and Navy regarded the problem mainly in military terms, and each went its own sweet way. Voluntary enlistments and selective service policies demoralized industry and agriculture. In expanding rapidly, industry pirated labor, used it extravagantly, carried on

peacetime resistance to women, Negroes, aliens, aged and handicapped workers, and was ill-equipped to train new workers. The WPB gave out contracts to firms in labor shortage areas without thought of the manpower problems it aggravated. Unions clung to "featherbed" practices and jealously watched employers' gains for chances to improve their own. Workers "shopped around" for easier work, more pay, better living conditions. Labor turnover and absenteeism ran high. Communities were ill-prepared for dramatic shifts in population. Ghost towns and boom towns created special problems. Southern cities imported white workers into congested areas rather than use the Negro help already there in abundance. Everywhere, distressing human problems touching individual and family life reflected the conflicts and confusion in the national effort. Corson might have added that America was misguided by Churchill's declaration, "Give us the materials and we will do the job," by Roosevelt's all too lighthearted promise of making the United States "the arsenal of democracy" through lend-lease, and by the inadequacy of the Army's "M-Day" plans.

The inevitable muddle caused by all these conditions continues while the manpower problem becomes more acute. Out of his wealth of experience, Corson offers the solution of unified policy and control, systematic recruitment, and centralized allocation of manpower. By the President's order of December 5, 1942, the WMC was moved in this direction. The draft machinery and the USES must be its local administrative arms. But further power is necessary—the authority to register, to assign, and to transfer workers wherever they are needed. Corson hopes to make these drastic powers democratic by having government, industry, and labor participate in their exercise, with proper safeguards for the people. His solution presents the curious situation of being sound in logic and common sense on what has happened here and in other countries, and yet patently unsound and impracticable on the same showing! Although highly controversial, the solution may yet be tried under war emotion and strain, clarifying the muddle by worse muddling. Aside from debatable questions and some needless repetition, Corson's book is the best statement of the manpower problem in print.

GEORGE H. E. SMITH.

Shelton, Conn.

Lincoln and the Patronage. By HARRY J. CARMAN AND REINHARD H. LUTHIN. (New York: Columbia University Press. 1943. Pp. x, 375. $4.50.)

Outside the ranks of the small but vociferous sect of Lincoln idolaters, it is no news that the Civil War president was a masterful politician. Students of the period have long recognized that Abraham Lincoln's states-

manship was compounded, in large part, from political skill. Messrs. Carman and Luthin have undertaken the enormous task of presenting Lincoln's use of political and military patronage to unite his party, win the war, and cement the Union. With much justice, they contend that Lincoln was more successful than his predecessor James Buchanan and his successor Andrew Johnson because he was more adept than they in handling the patronage.

The Republican party of 1860 was a conglomerate of discordant elements united only by a common hatred of the Democrats. Success in the presidential election was only a signal for a struggle for power between various factions. Long before his inauguration, Lincoln faced the problem of balancing these elements, each claiming to represent the "true" party. "Justice for all," was Lincoln's motto as he selected a cabinet of factional leaders, distributed post offices, customs houses, judgeships, and diplomatic missions to party workers. Harassed by applicants for office and their friends, Lincoln often expressed a wish to be freed from such importunities. But he was a practical man, accepting the existing situation realistically, and giving no countenance to proponents of a merit system or to suggestions that he relinquish his arduous duties to other hands. In fact, he seems thoroughly to have enjoyed the distribution of public plums.

In addition to the full complement of civil offices, Lincoln had in his hands an enormous number of military appointments, and under his ultimate supervision was the letting of army contracts. Although a few commissions went to Democrats, the army patronage and the war contracts were alike used to build up the Republican party, and if not to harmonize the factions, at least to make all groups dependent on the President. Secretaries Chase and Stanton sought to build up personal machines and to support the "radical" wing of the party, but in the end their adherents were forced into line behind Lincoln.

The President's success in handling the patronage was evidenced in the Baltimore Convention which renominated him in 1864. The delegates who attended had been selected by state conventions of officeholders, and each of them was a beneficiary, present or prospective, of the executive patronage. Except the Missouri delegation, each state voted unanimously for Lincoln's renomination. In the election of that year, the officeholders worked valiantly, forgetting factional disagreements to concentrate upon party victory. In 1860, hatred of the Democracy had bound the inchoate party together; in 1864, the cohesive force was loyalty to the dispenser of the federal patronage.

The authors of this careful study have gathered, sifted, and synthesized a tremendous body of literature. Perhaps few of their individual items are news, but they present, for the first time, a comprehensive over-

view of the whole story of Lincoln and the patronage. Only the myth-makers will find distasteful their conclusion that Lincoln was "essentially a practical man, reared in the realism of the frontier and educated in the old school of Whig politics," who realized "the necessity of patronage as a weapon of party leadership under the American system. In being a competent politician, he became a statesman."

WILLIAM B. HESSELTINE.

University of Wisconsin.

The Permanent Court of International Justice, 1920–1942; A Treatise. By MANLEY O. HUDSON. (New York: The Macmillan Company. 1943. Pp. xxiv, 807. $7.00.)

This is a revision of the author's earlier treatise on the Court, published in 1934. As a documentary presentation of the external history of the Court's establishment, organization, and procedure, it is exhaustive and an authoritative guide. It is not, however, a study of the legal issues before the Court, of the Court's decisions and opinions as contributions to international law, of the political history of the issues leading up to the submission, contentious or advisory. There are good chapters on some of the precursors of the Court, like the Central American Court of Justice, on the proposed International Prize Court, on the jurisdiction of the Court, especially its obligatory jurisdiction under the "optional" Article 36 of the Statute, and on the Court's formal practice.

But the political background of the nearly seventy questions submitted, an analytical discussion of the legal (or political) issues involved, is not there. The positions of the judges in particular cases, e.g., the differences in the Court on whether an opinion should be rendered in the Eastern Carelia case, are left unmentioned. Judge Hudson gives a useful analysis of the procedure governing advisory opinions, but does not point out the advantage that was achieved in the Mosul case between Great Britain and Turkey by substituting a request for an advisory opinion by the Council for a contentious litigation. There is some evidence that the Council itself did not appreciate the necessity for the Court's judicial independence, for after the Court's refusal to render a decision in the Eastern Carelia case because Russia, a non-member, would not appear before the Court and refused to submit documents, the Council censured the Court. No explanation is given as to the issues involved in the American abstention from the protocol adhering to the Court's Statute.

It is not altogether easy, notwithstanding the long experience with international courts, to expect all members of this Court, created under the political stress of 1919, to evidence judicial independence. The war was still too vivid. The Court fulfilled a useful function as a forum for the adjudication of numerous disputes, and its existence may have helped to

settle others. But just because it was a court and dealt with legal questions, it could not touch those issues—economic, social, and political—which were tearing the world apart. Whether the Court can be reëstablished after this war will depend on the nature of the political settlement, on the restoration of trust among the nations, on the revival of the principle of legal equality and non-intervention as the foundation of international relations. But at least the external history of the first experiment in judicial organization has been competently recorded.

EDWIN M. BORCHARD.

Yale University.

S. O. Levinson and the Pact of Paris. BY JOHN E. STONER. (Chicago: University of Chicago Press. 1943. Pp. xvi, 368. $4.00.)

This book tells the story of one of the most remarkable characters in recent American life. Samuel O. Levinson was a volcanic personality, almost continuously in eruption, yet always ready for fresh explosions in behalf of the outlawry of war. Having amassed a large fortune as a corporation lawyer, he spent most of it in a tireless ten-year crusade for a law against war. He financed his own orators, secretaries, committees, and European representatives. He wrote thousands of letters, scattered millions of pieces of literature (1,100,000 of Borah's anti-World Court speeches alone), travelled incessantly, and argued interminably.

Naturally, such a man was not appalled by large undertakings. He worked for three years intermittently to stop the First World War, during which time he discovered that war was legal, at least not illegal, and set out to remedy that. Few even of his disciples ever understood what he meant by outlawry, but he eventually persuaded the world to take the pledge to outlaw war.

Levinson really believed that this simple act would so change the whole international atmosphere as to make war nearly impossible. At first he advocated enforcing the peace, but he took a quick aversion to the League Covenant, joined the irreconcilables, and convinced himself that a national state could not be coerced, that national sovereignty must not be disturbed, and that our hands must remain free. He refused to distinguish between aggressive wars and others, since a successful defensive war could then give title to changes by force, his *bête noir*. In his metamorphosis, Levinson was propelled by a powerful Republican partisanship which convinced him that both the League and the World Court must be "intrinsically revolutionized" to become "a Republican proposal for peace." He had profound belief in the judicial method of settling disputes, provided no League of Nations Court was used.

Dr. Stoner's monograph is a most useful piece of research. It is a notable addition to the history of the defeat of the World Court and, of course, to the literature on the Pact of Paris. It also contains penetrating sidelights

on Levinson's aversion to "the Shotwell danger," i.e., the advocates of collective security; the fight against the League; and the Washington Conference of 1921–22. Throughout the volume the stormy petrels of irreconcilability stand out sharply etched, especially Charles Clayton Morrison, whose opponents were always misguided, and William E. Borah, whose perversity baffled even the indefatigable Levinson himself. On finishing the book, one understands better how a group of strong-minded objectors plunged the American people into frustration after the last war (pp. 78, 167), and then led them into a toothless gesture against the still more deadly world war which boiled up as soon as war had been formally "outlawed."

Yet the Pact of Paris was better than nothing. While it lulled us and set the stage for futile and craven neutrality laws, it also cramped the style of the aggressors; it put a moral compulsion on us to move against them and it supplied a long-needed law which a powerful world federation can enforce in the future—must enforce if our urban civilization is not to be rapidly destroyed, including Chicago and every other city on this planet.

DENNA F. FLEMING.

Vanderbilt University.

U. S. Foreign Policy: Shield of the Republic. By WALTER LIPPMANN. (Boston: Little, Brown and Company. 1943. Pp. xvii, 177. $1.50.)

This is a plea for a "sound foreign policy" for the United States, presented in a manner appealing to the American reading public. Mr. Lippmann's thesis can be briefly summarized as follows: A nation has a foreign policy only when commitments and power are brought into balance. Since 1899, this country has not had a foreign policy, and, as a result of this insolvency, the American people have been strongly divided on issues in the field of foreign relations. On the basis of a true discernment of our national interest, best indicated by our historical experience, it is possible to formulate a foreign policy which will be sound and therefore unite our people. Such a policy should aim at the consolidation and perpetuation of a "nuclear alliance" of the United States, Great Britain, and Soviet Russia (and possibly China) to establish and maintain order on the basis of law and respect for liberty.

That it is desirable that national power be brought into line with commitments to use armed force can readily be admitted. It must be recognized, however, that commitments are of varying degrees. While some involve the use of armed force, others may call only for economic or diplomatic action. Furthermore, power is always relative, and the adequacy of national power must be determined in relation to the situation in which its use may be required. Mr. Lippmann, in his quest for realism, greatly over-simplifies the problem and thereby defeats his own ends.

Mr. Lippmann's thesis that this country has not had a foreign policy,

i.e., one where commitments and power are brought into balance, since 1899 is again a serious over-simplification. His appeal to the record of history is not wholly convincing and leaves one with the impression that he is more concerned with proving his case than with interpreting the record of history aright. He makes much of our "commitment" in China, but if the word is to be used with the meaning he himself gives to it (p. 9), it can be questioned whether we ever entered into such a commitment. Secretary Hay, in his circular letter of July 3, 1900, stated simply that it was "the policy of the Government of the United States . . . to seek a solution which may . . . preserve Chinese territorial and administrative entity." By the Nine-Power Treaty, the United States agreed, along with the other signatories, to respect this principle and the "Open Door." Down to the time of World War I, because of the existence of a rough balance of power in the Far East, our efforts to secure respect for Hay's principles were reasonably successful. Even as regards the defense of the Philippines, it is greatly over-simplifying the facts to say that our commitments far exceeded our power. We did not know then what we know now, and many informed and responsible persons, on the basis of data then available, believed that our position was so strong that it would be suicidal for the Japanese to attack us.

The contention that domestic dissension in the field of foreign relations is the product of insolvency of national foreign policy, and that the formulation of a sound foreign policy will heal that dissension, is a proposition that has little support in the record of American history. There was disagreement, strong disagreement, on such questions as the annexation of Texas and the Mexican war right down to the Civil War. Even the principles of Monroe's message were not generally accepted for some time after their original enunciation. After the Civil War, down to 1898, the condition of public opinion on foreign affairs can best be described as one of apathy. Probably no American policy outside of the Monroe Doctrine has received such general public support as our Chinese policy, and yet, according to Mr. Lippmann, this has been an outstanding example of commitments exceeding power, and therefore no policy at all.

During the seventy-five-year period from 1823 to 1898, in Mr. Lippmann's opinion, the United States had a foreign policy, because of the fact that our commitments in the Western Hemisphere were supported by what he variously calls an "understanding," "informal alliance," and "concert" with Great Britain. It is, of course, true that the decision of President Monroe and his cabinet to announce independently the principles subsequently referred to as the Monroe Doctrine was taken in the belief that Great Britain's interests in Latin America paralleled our own and that we could therefore depend upon the support of the British navy. To say that there was an "understanding" or a "concert" in any meaning-

ful sense is misleading. Our policy was very definitely one of independent action, prompted in large measure by a desire to be free to extend our territory and influence in the Western Hemisphere as circumstances might permit. In fact, it is clear that Monroe's declaration was received with disfavor by Canning, and that it was later applied equally against Great Britain and other European countries.

As for the future, it is not quite clear what are to be the character and purpose of Mr. Lippmann's proposed nuclear alliance. If Mr. Lippmann means to say that it is a necessary condition to the establishment of a viable international order after the war that the United States, Great Britain, and Soviet Russia should find the basis for a working agreement, he is stating a truism. If, on the other hand, he has in mind, as seems to be the case, a special relationship between these three powers, accompanied by special rights and responsibilities, the case is not so clear.

The all-important premise of Mr. Lippmann's proposal appears to be that a system of world security can be realized only by evolutionary development from a "nucleus of firmly allied strong states." He waves aside the experience of the formation of our federal union as a "profoundly misleading analogy," but he regards as pertinent the experience of the historical development of modern national states, which would appear to be an analogy equally unsatisfactory. There is little evidence from history to support the view that such a nuclear alliance as Mr. Lippmann proposes will hang together for any long period of time, except in the presence of a serious external threat. There is certainly no reason to believe that it will be more difficult to maintain a system of commitments between these powers if the commitments are a part of a general system including the smaller powers and assuring them definite participation. Besides, a general system would not be open to the serious allegation that the three great powers were attempting to substitute a veiled form of great-power imperialism for the one sponsored by the Axis powers.

If we are to look at the post-war period realistically, we may well admit that for a period of years a special responsibility will rest on the United States, Great Britain, and Soviet Russia to maintain order and security, pending the establishment of a more truly international system. This, however, should not mean that the smaller nations are to be denied an active and even important participation in the work of the developing world organization. Indeed, such participation is necessary if the order-maintaining functions of the great powers are to be exercised on the basis of law and respect for liberty. Mr. Lippmann's fundamental error is in assuming that the possession of power alone gives the right to determine how and for what purpose that power is to be used. In a world of power-politics, that is undoubtedly a sound assumption; but if our purpose is to get away from that condition to one where order and security are main-

tained on the basis of law and respect for liberty, other peoples, who may not be in possession of all the paraphernalia of war-making in large and efficiently organized units, must have a part in the taking of decisions affecting the happiness and prosperity of all.

LELAND M. GOODRICH.

Brown University and
World Peace Foundation.

Way for America. BY ALEXANDER LAING. (New York: Duell, Sloan and Pearce, Inc. 1943. Pp. 380. $3.00.)

This book was provoked by an isolationist's question in 1940: "Who cares what happens to England?" Thirty readable chapters, many of them bitterly critical, recall the period between wars, especially the disgraceful decade ending at Pearl Harbor; but the lurid tale is retold to point a simple moral, namely: whatever government does at home or abroad to promote the strength of the people (democracy) is right and whatever prevents it is wrong. Recent history is accordingly interpreted as a series of open encouragements of tyranny by the so-called democratic nations. Not only are Tory leaders everywhere fiercely denounced for their moral blindness and dismal lack of political wisdom, but the voters also are severely castigated for their almost fatal irresponsibility when they "knew what was right and wrong at every important juncture." Mr. Laing summons democrats everywhere to repent, regain their strength, and never again give up responsibility for making democracy work.

The author modestly claims to be only a plain citizen seeking a simple creed for the guidance of the American republic. His analysis of events, including recent decisions in North Africa, teaches the plain lesson that "in the long run it is unwise anywhere, ever, under any circumstances, to arm democracy's sworn enemy;" and that since democracy at home is only as safe as it is widespread elsewhere, "our experts should have a warrant for quick action anywhere in the world when democracy there is in danger of being lost or stolen and our safety and peace are affected." Although this formula is not expressly applied to Latin American military dictatorships, Mr. Laing does go so far as to suggest that the common people of the United States should tell "the patiently heroic little people of England" that they should change their party system and that "we cannot make enduring arrangements with a government having its origins still in the provenly dishonest election of 1935."

The way for America is "alone if we must, in company with others if we can;" and if political scientists and politicians really wish to travel the road to peace, they need only remember that just as shipmasters at sea, before the days of radio, obeyed the physical law of storms, so govern-

ment as the pilot of the Ship of State must obey the fundamental moral law of storms always to aid democracy and never to tolerate tyranny. Morality should come ahead of politics and economics in the affairs of men if the world is to be rescued from impending chaos.

The volume may be attacked as "a moralistic jag" (the Hoover-Gibson book was recently so described); but this reviewer will go along with the basic argument that there must be conscience instead of expediency in what democrats do if they are ever to succeed.

JACK VAN DER ZEE.

State University of Iowa.

America and the Axis War. By DENYS SMITH. (New York: The Macmillan Company. 1942. Pp. vi, 424. $3.00.)

Eastern Europe and the United States. By JOSEPH HANČ. (Boston: World Peace Foundation. 1942. Pp. 95. $0.50.)

Smith's book is a counterpart to the many American books which rigorously castigated British policy during the appeasement period. The author is a British citizen who has been in the United States since 1929 as a correspondent of British newspapers. Politely, but plainly, he has told the story of our neutrality epoch—a tale fully as futile and muddled as was the appeasement period in Britain.

Quite naturally, he refutes some fallacies current among us—for example, that Japan could have been checked in Manchuria in 1931 if Britain had followed our firm lead. He makes abundantly clear that in 1932, and long afterward, Congress would not have permitted action against any aggressor. The isolationists in control always forbade such action. It was the very center of their errors, and they were eternally vigilant to defend it. The result was that the Hoover Administration, and its successor, could for years go no further than to refuse recognition to the fruits of aggression —a policy which Smith aptly describes as follows: "Though we will not lift a finger to prevent your being attacked, be of good cheer; after you have been killed, we will refuse to recognize that you are dead."

The strongest theme in the book is the constant watch of the isolationists to prevent any action against the aggressors. Every move which the President made against them was followed by such an uproar that he frequently felt compelled to retreat. The Quarantine Speech of October 5, 1937, was explained away by the President's supporters until "quarantine" practically meant "isolation"—for us. Both ends of the Axis took notice. Again on August 18, 1938, at Queen's University, the President hinted that we must be reckoned with in the plans of any aggressors. And again there was such an outcry that Mr. Roosevelt backwatered, denying vigorously that he was in any "stop Hitler" movement—cheerful news for Hitler a week before his Nuremburg speech sent Chamberlain scurrying

to Germany to give him what he asked for. Even as late as January 4, 1939, the President ventured to say to Congress that at least we should do nothing to encourage any aggressor—but to no avail. His secret White House conference of January 31, designed to convince the leaders of Congress, only gave rise to the charge that he had said our frontier was on the Rhine—a charge which he refuted by saying that our policy had not changed and was not going to change, "no entangling alliance"—another green light to Hitler.

Smith has condensed into two pages (206–208) one of the most devastating summaries of what the isolationists did that has yet been written. It is an indictment which ought to bury the influence of our isolationist leaders forever. On an earlier page, he characterizes two of the unlovely aspects of isolationism as follows: "In addition to an infinite capacity for mistrust, the isolationist belonging to this school of thought had also an infinite capacity for self-pity. He insisted that Uncle Sam should form no friendships and then complained that he always stood alone. It was always 'Poor Uncle Sam this' and 'Poor Uncle Sam that'; he got the kicks, he lost his shirt, he was played for a sucker, bamboozled, tricked, swindled, deceived, until it appeared that one-hundred per cent Americans were determined to make a one-hundred per cent imbecile of their national symbol."

The economic folly of our war debts "policy" is not neglected—folly which ended in refusing to accept settlement of the Hungarian and Rumanian debts in full (minus interest) lest the principle that no bread is better than half a loaf be violated. One purpose was to "keep us out of war" by pinning the stigma "defaulter" firmly on our former allies.

The book has extensive footnotes, quoting from documents and the utterances of isolationist Congressmen. It contains sidelights on the events of the entire period since 1929, e.g., the failure of our moral embargo against Italy in 1935, the defeat of the World Court, and the success of Pan American conferences.

Taking a cue partly from the history of Pan Americanism and partly from that of the British Commonwealth, Smith proposes for the future, not a stronger League of Nations to deal with aggressors, but the "absence of a rigid constitution and a minimum of permanent machinery." Small nations have found, he argues, that in both the British and Pan American Unions their sovereignty and independence is increased, not diminished. He therefore proposes that appeal, suggesting that "the post-war task will be to direct a growth, not construct a machine." This reviewer suspects that trusting thus to our common sense leaves room for a third, trillion-dollar, war, to convince the hard core of isolationism still left among us that coöperation must be vigilant and constant.

In Eastern Europe and the United States, Joseph Hanč is just as anxious that the life and growth of the smaller nations be safeguarded. His book

is another commentary on the stupidity of the Chamberlain policy of backing Hitler against Russia, when "Soviet deeds, as distinct from those of the Italians and Germans, were almost irreproachable from the point of view of international coöperation and the collective struggle against aggression." He warns also that fascism was rampant in Hungary, and "among the ruling classes of Poland, Yugoslavia, and at the courts of Rumania and Bulgaria"—another bar to the use of the Red army against the Axis aggressors.

Pleading for a democratic solution for Eastern Europe, Hanč is sure that "the broad masses in Eastern Europe are essentially democratic in feeling and conception," though "denied the opportunity for training in democracy." Instead of a barrier, this region must become a bridge between Soviet Russia, the key factor, and the rest of Europe. These nations cannot survive in an atmosphere of strife and domination. "Their future progress depends on a world order in which there can be freedom from aggression" (p. 77). Such an order, the author believes, cannot succeed without our strong participation.

DENNA F. FLEMING.

Vanderbilt University.

The Latin American Policy of the United States. By SAMUEL FLAGG BEMIS. (New York: Harcourt, Brace and Company. 1943. Pp. xiv, 470. $4.50.)

In a scathingly caustic review of this volume, the publicist Waldo Frank characterizes it as "a tendentious tract with slight bearing on the fundamental truth of hemisphere relations . . ." If this statement even approximates the truth, then we should in the future depend upon starry-eyed *literati* writing with poetic license to prepare satisfactory interpretations of our historical development. Professor Bemis has undoubtedly given a greater emphasis to the policy of the United States and the reasons for it than to the policies of the various Latin American states with which the United States has dealt. But is this a just basis for criticism when the title clearly indicates that the author has chosen such an approach as his thesis? The study is, in fact, a brilliantly written and on the whole objective interpretative analysis of the underlying principles which have guided our foreign policy in relation to the nations of the Western Hemisphere.

Although the presentation is chronological rather than topical, in accordance with historical precedent, the author has cumulated his subject-matter in such a way as to present a comprehensive survey of the specific problems as they occur. Taking as his thesis that the fundamental basis of the Latin American policy of the United States has been continental security, it has been found vitally essential to maintain guard over the Caribbean area and the approaches to an isthmian canal—even to the extent of intervention and the establishment of protectorates. This forced

imperialism, based upon self-protection, was, however, of a temporary nature, and once Europe ceased to be a danger, it was forthwith liquidated. The United States thereupon was eager and determined to redress any injuries or grievances of the past and prove to its neighbors that it wished their security and prosperity as a vital adjunct to its own safety and well-being.

The author establishes his case with such wealth of documentary and supporting evidence, and with such absolute and almost pontifical assurance, that the reader has a tendency to object to the interpretation and the method of its expression, even though he cannot gainsay the evidence. Admirers of Jefferson and his purchase of Louisiana could hardly accept with equanimity the author's statement that the Transcontinental Treaty of 1819 negotiated by John Quincy Adams was "the greatest diplomatic victory ever won by an American Secretary of State." Would not a Latin American resent the statement regarding the Monroe Doctrine as promulgated in 1823: "I say it expressed the republican independence of the New World," or as regards the canal policy of Theodore Roosevelt: "This intervention of 1903 is the one really black mark in the Latin American policy of the United States . . . ," or crediting Representative Slayden of Texas with the original idea of the Pan-American Pact prepared by Colonel House, when Bolívar had proposed a perpetual union of the American Republics to secure the territorial status quo almost a century earlier?

There are a few questionable statements, some of fact, others of interpretation. When President-elect Hoover settled the Tacna-Arica question, only the Chilean and Peruvian governments were consulted; Bolivia was not. Considering the neutrality legislation of 1935–37, it can hardly be said that our neutrality laws "have never prohibited citizens of the United States from . . . exporting contraband of war." The author's characterization of the Declaration of Panama setting up a protective zone adjacent to American territorial waters as a "historical and juridical curiosity" shows a complete lack of appreciation of the importance of the extension of territorial waters in the future development of international law. Failure of enforcement is no criterion of the justice or wisdom of a principle.

One of the most original and carefully developed analyses of policy in the book is the logical and scholarly presentation of the principle of non-intervention. The chapters treating the reciprocal trade agreements, bankers' loans, and investments of American nationals are penetrating and persuasive. Professor Bemis has made a definitive contribution to the better understanding of our foreign policy and the basic principles upon which it rests.

GRAHAM H. STUART.

Stanford University.

Soviet Russia's Foreign Policy, 1939–1942. By David J. Dallin. (New Haven: Yale University Press. 1942. Pp. xx, 452. $3.75.)

David J. Dallin, a Russian by birth, has spent many years in Europe, and is familiar with the recent diplomatic currents of the Continent. He has based the discussion in his book on the limited amount of documentary material that is available, and has supplemented it with newspapers from the chief Allied countries; and the volume is notable for its measured judgments and for a careful phrasing usually associated only with histories of long-past events.

According to the author, the Soviet Union's policy of isolation was largely responsible for turning the Treaty of Versailles into a scrap of paper by 1935, and for encouraging Germany to go to war in 1939. Even after June 22, 1941, Moscow's "third power" theory persisted and helped to cause the frictions and difficulties that have plagued the anti-Axis coalition. The causes of this deep-rooted isolation and its influence on Soviet Russia's foreign policy from the outbreak of war in 1939 to the Battle of Stalingrad form the subject of Mr. Dallin's timely book.

As the author indicates, the Soviet Union stood on the side-lines of Europe from 1917 until 1939, not because of the whims of the men who controlled Russia's destiny, but because of a profound isolation from the "forces of the old world" that was partly self-inflicted and partly imposed. Long before World War II began, however, the assumptions on which this policy rested had either become untenable or disappeared altogether. The Communists' prediction that volcanic eruptions in the capitalistic world would produce an imperialist war against the U.S.S.R. had not been fulfilled, and the transformation of Leninism into Stalinism had created a powerful armed camp that entrusted its safety to the might of the Soviet state rather than to international revolutions. Nevertheless, Russia still clung to the ambition to remain a "third power," and the Western nations continued to fear the U.S.S.R. because of the dynamic character of its official ideology as propagated by the Comintern. In 1939, as logical consequences of this mutual distrust, the British and French attempts to reach an understanding with Stalin inevitably failed; the U.S.S.R. concluded a secret non-aggression pact with Germany which Mr. Dallin believes Russia entered into as insurance against another Munich; and "protective" annexations of contiguous Western territories took place.

With the German invasion of Russia, a sentence of failure was passed on the Soviet Union's policy of standing aside while the Western powers bled each other white, for Stalin had found himself obliged to choose between becoming a Moscow Gauleiter and fighting the Nazis. Under these conditions, military alliances with Western powers, which neither London nor Moscow had found possible in 1939, proved to be the most realistic

policy of all. According to Mr. Dallin, this Russo-German conflict, which has changed the entire strategy and diplomacy of the war, began as a chapter in the Anglo-German struggle. After Britain had resisted much longer than the Nazis had anticipated, and after the Lend-Lease Bill was introduced in Congress, Hitler became convinced that Germany needed Japan's active aid in order to counterbalance the two naval powers arrayed against him. But since Japan required the certainty of Soviet neutrality before launching forth on a war with Great Britain and the United States, and since Russia refused to coördinate its foreign policy with the Axis, the Germans found themselves obliged to go to war with the U.S.S.R. However, this interpretation of events is less convincing than most of the author's reconstructions of facts, for it seems unlikely that the Nazis would have taken on so powerful a foe unless they had in view more immediate goals—such as the oil and food supplies of southwestern Russia.

When the author closes his book at the Battle of Stalingrad, he finds that the old theory of the Soviet state as a "third power" was far from dead in Russia. However, it is an indication of the speed with which seemingly fundamental policies change under the pressure of war that fuller coöperation with the other Allies has grown during the past year, and the recent dissolution of the Comintern may be expected to speed the divorce of the U.S.S.R from the concept of a separate war. From some future vantage point, therefore, the Battle of Stalingrad may mark a turning point in Soviet foreign policy, just as it did in German strategy.

WINIFRED NELSON HADSEL.

Foreign Policy Association.

Canada in World Affairs; Two Years of War, 1939–1941. By ROBERT MACGREGOR DAWSON. (Toronto: Oxford University Press. 1943. Pp. viii, 342. $3.00.)

Canadian External Relations; An Historical Study to 1914. By G. P. DE T. GLAZEBROOK. (Toronto: Oxford University Press. 1942. Pp. vii, 312. $3.00.)

Canada at the Peace Conference. By G. P. DE T. GLAZEBROOK. (Toronto: Oxford University Press. 1942. Pp. vii, 156. $2.00.)

These three books, issued under the auspices of the Canadian Institute of International Affairs, are indices of the new Canadian maturity in international affairs. The growth of Canada from colony to Dominion is reflected in scholarly writing with its earlier emphasis on Canada's advancing status in imperial relations and its more recent emphasis on her rôle in world affairs as a sovereign state. Although Corbett and Smith's *Canada and World Politics* (1928) and Dewey's *The Dominions and*

Diplomacy (1929) were the products of a transition period in the late twenties, the main output of books concerning Canada's external relations began only in the late thirties and may be traced in the annual review article on this topic in the *Canadian Historical Review* from 1935 to the present. R. A. MacKay and E. B. Rogers, authors of *Canada Looks Abroad* (1938), could rightly claim this to be "A First Book of Canadian Foreign Policy." Since the publication of that first general survey of Canada's external relations and policies, the literature on the subject has steadily mounted, the three books listed above representing additions of first-rate importance. Taken together, these three describe the striking development of Canada from its original position as a colony, one of many "pawns in the great international chess game," up through the long transition as control was successively extended over every sphere of internal and external affairs, to the position of 1939, when Canada entered the war freely by a separate declaration of war and became a country of substantial power in a military, naval, aërial, and industrial sense. There remains to be written a study of Canada's external relations during the first World War and in the period following the Peace of Paris.

American readers will note a similarity in form and content as well as in title between the annual volumes, *The United States in World Affairs*, and Professor Dawson's book, itself the second volume in a series of biennial surveys, of which the first was *Canada in World Affairs; The Pre-War Years*, by F. H. Soward and others. This second in the series is an able survey of the first two years of the present war as they affected Canada, based on memoranda by many Canadian scholars and publicists, and edited with scholarship, wit, and critical judgment by one of Canada's leading political scientists. The scope of the volume is indicated by the fact that only Part III, eighty pages in length, is devoted to "External Relations." This includes a chapter on relations with Great Britain, advocating an Imperial War Cabinet, a second chapter on relations with the United States and the joint war effort of the two countries, and a final and less satisfactory chapter on relations with other countries. The bulk of the book is devoted to the internal developments resulting from Canada's participation in the war. Part I is a chronological, historical survey of these political and economic developments, with the fall of France described as the turning-point, initiating the great intensification of Canada's entire war effort. Of interest to Americans is the shift of official and public opinion from "a modified or complete isolationism," even after the entry into war, to the present belief in the need for international control to guarantee peace and welfare (pp. 91–93).

The unique contribution of the book is found in Part II, "The War Effort," with its detailed analysis of the military, industrial, and economic aspects of the Canadian effort. Canada entered the war almost entirely

disarmed, with an economy that did not begin to compare with the great industrial states in degree of industrialization, and with a system of free enterprise comparable to the American. She is now powerfully armed on land, on the sea, and in the air, and manufactures all the items of modern war equipment. She has experienced an "industrial revolution," and the government is "the biggest buyer, the biggest entrepreneur, the biggest investor" in the country, endowed with the responsibility of planning and directing the entire economic life of the nation. How this remarkable transformation has been achieved, what types of direct and indirect controls have been used to effect it, what effects this has had on the traditional system of government (executive, parliament, boards, controllers, diplomatic service, etc.)—all this is set forth in the masterly analysis of a skilled "political economist." The material on Canada's war effort has been presented elsewhere by economists and others in A. F. W. Plumptre's *Mobilizing Canada's Resources for War* (1941) and J. F. Parkinson's *Canadian War Economics* (1941). No student of modern war government, however, ought to miss this analysis of the Canadian experience, with its illuminating comparisons and contrasts with the American.

Professor Glazebrook's historical study of Canada's external relations to 1914 is the work of an outstanding Canadian historian, who has skilfully constructed, from existing and new material, this analysis of the external aspects of Canada's development. The writer sets out to show that Canada, whether in control of her external relations or not, has always had manifold external relations and interests, in the form of trade, sources of population and capital, cultural and ideological influences, problems of defense, points of friction with the United States over fisheries and boundaries, and so on. In all these matters, Canada's external relations have been and remain largely relations with two powers, the United Kingdom and the United States. In addition, the author sets out to show that Canada, long before she had achieved Dominion status, international recognition of her sovereignty, and separate diplomatic machinery of her own, had asserted her right to control various aspects of her external relations. The landmarks in the emergence of Canada as an independent entity in world affairs and in the establishment of the machinery for independent action are analyzed up to 1914. Conflicting Canadian opinion, especially on the two dominant themes of relations with Britain and the United States, is described as expressed in the local press at each period. The same author's study, *Canada at the Peace Conference*, continues the historical analysis. Within the context of a general discussion of the background, organization, negotiations, and effects of the Paris Conference, Professor Glazebrook describes the somewhat limited contributions of the Canadian delegates to the general work of the conference and their very strenuous efforts to establish Canada's new status in the eyes of the world.

Two general comments suggest themselves. Of necessity, by the very nature of Canada as a colony and later a small power, much of her history has been a matter of passive reaction to external influences. None the less, there remains to be attempted an explanation of policies and opinions in external affairs in terms of the social and economic forces operative *within* Canada. For instance, were the conflicting tugs of imperial preference and reciprocity with the United States, with their suggested political implications of imperial federation and annexation, explicable in terms of a conflict of economic interests within Canada? Secondly, the emphasis on relations with Britain and the United States, while in the large justified, tends to underestimate the importance of relations with other countries, especially as markets and sources of immigrants. No mention is made, for instance, of the Canadian representation in Paris from 1882 on, an indication of the importance of Franco-Canadian relations. Similarly, relations with other European and Asiatic governments in connection with trade and emigration, expressing itself in a network of emigration agents and trade commissioners, tend to modify the thesis of the exclusively triangular character of Canada's external relations.

H. Gordon Skilling.

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Let the People Know. By Norman Angell. (New York: The Viking Press. 1943. Pp. ix, 245. $3.50.)

This book should be read by many of the millions of people who did nothing to prevent this war, for it makes quite clear that the people of the democracies are themselves to blame. They cannot shift the responsibility to bad leaders, to the international bankers, or to anyone else, for at the close of the last war they saw—for a short time—that to be safe themselves they had to defend the safety of others.

Then this elementary principle was violently forgotten, so to speak. Peoples and their leaders began to vow with passion that they would fight only if attacked, right here at home. Most of them retained that blind self-destroying state of mind, with the result that they were attacked at home, and nations wiped out by the dozen. Even the two greatest world powers, the United States and Russia, were assaulted on their home soil.

The main thesis of the book is not new. It is to Angell's permanent credit that he has been explaining it over and over again for more than twenty years. The illustrative material in this volume is new, vivid, and to the point. It is written simply and so tellingly put that no one can read it and be in doubt about what is essential to keep the peace.

Let the People Know is addressed to John Citizen himself. It begins with

a chapter voicing all his troubled questions, as put from the heart of the Mid-West, and it meets each one of them fairly and squarely in the later chapters.

First, John is warned that he is a glutton for scapegoats. He let himself be told after the last war that it was all due to the bankers and the arms-makers. The "merchants of death" were lambasted hip and thigh; and now Senator Wheeler repeatedly declares that his real indictment of the Administration is that it took the country to war unprepared, that is, we didn't have enough merchants of death! Two other leading forms of escapegoatism—anti-Semitism and Anglophobia—are treated fully in a penetrating chapter.

It is true that the people were disastrously confused by false leadership after the last war, but John Citizen had the wit within him to know what was necessary to keep the peace. There was nothing complicated or mystic about it.

What is the essence of the whole problem, asks Angell? What is the most basic of all rights? It is the right to life itself, to live without being murdered and despoiled—a right which cannot be enjoyed in a constantly shrinking world unless the community is prepared to use its power for defense of the member which is attacked. Otherwise "there can be neither law, nor peace, nor justice, nor stable civilization." This is the basic social principle upon which civilization must rest, whatever the size of the territorial unit involved.

This bed-rock principle was totally clear at the end of the last war, but we let outselves be deluded by claims that a national state was different; it couldn't be coerced. People parroted the cry that you couldn't "cure war with war." Pacifist peace societies helped to dig the graves of their own nations. There was a perpetual cry that "commitments mean war," when the exact reverse is true. War spread inexorably around the earth precisely because the nations were not committed to oppose aggression. Aggression was positively invited by the insistent, even blatant, refusals to promise any common resistance to aggression.

Will John Citizen have the horse sense not to be deluded again on this crucial issue? He will not unless he grasps the point clearly and sticks to it everlastingly. If he wants to keep his feet on the ground, this book of Angell's is a bible on which he can stand permanently, when the next crop of false leaders comes up. No one can read it without gathering conviction that war can be controlled, must be, or nothing else can go forward—neither "socialism" nor social reform, neither political advance nor humanitarian growth.

Angell himself is a socialist, but a sane one. He insists that "the right alternative to imperialism is not anarchy, but a Society of Nations." He explains, as he has often before, how little the British "own" in the

Empire and is most convincing in his argument that it is better for all parts of the "Empire," including India, to move steadily toward full self-government than to break up the one existing, working world union already established.

Let the People Know can be read with humility, especially by teachers and preachers, for it makes clear how sorely they failed to make simple truths plain.

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BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

Nothing in Chicago is more typical of this metropolitan center of the North American continent or gives so much service to local governments throughout the United States as 1313 East 60th Street. And the one most comprehensive service performed by this group of public administration experts is the publication of a municipal year book. *The Municipal Year Book, 1943* (International City Managers' Association, pp. x, 603, $8.50), edited by Clarence E. Ridley and Orin F. Nolting, is even more valuable than previous issues. The war situation has so unbalanced municipal activities that the sound perspective of the best city administrators may be impaired unless they have available rather complete data as to what is happening to other cities under these same critical conditions. A second reason for the added value of the current edition is the more extensive use of the historical approach in the form of "charts showing the trends in municipal salaries and cost of living, municipal bond yields, municipal revenue," and many other city activities. "Most of these charts show the trends over a period of years and furnish background for the articles which outline the more significant events and developments in each field of municipal activity during 1942." A third reason for the increased value of this edition is, of course, the increased experience of both the editors and the special-article writers. Moreover, this long background of experience is doubly valuable this year in interpreting the radical changes in civic activities due to the war situation. Henry J. Taylor would not have said, "For a country [U.S.] whose cities are in the most deplorable condition in their history" (*Reader's Digest*, August, 1943, p. 2), had he spent as little as thirty minutes looking through the 1943 *Municipal Year Book*. The assumption that because you live in the United States you must of necessity have an accurate picture of municipal activities here is simply an erroneous one for most people, including political scientists and writers for the best magazines. The least any self-respecting political scientist can do to keep abreast of the times in municipal affairs is to read

the first eight pages of the 1943 *Municipal Year Book*, headed "Highlights of 1942." And the least this same political scientist can do to help the local press accurately to interpret current local events is to call to the attention of their editorial staff the ease with which they may compare their own local statistics with those of similar cities in the United States by the use of the *Year Book*. Especially in a year of municipal elections, local editors should be careful to check the statements of municipal candidates which may be startling, and which may seem to corroborate a popular impression, but which, nevertheless, may be quite contrary to facts for the country as a whole. The editors of the *Municipal Year Book* insist that "figures do not lie," but all editors should know that "liars will figure."—O. GARFIELD JONES.

In his *The Direct Primary in Michigan, 1909–35* (University of Michigan, Michigan Governmental Studies, No. 14, pp. 81, $0.80), Professor James K. Pollock presents a thoroughgoing analysis of primary election statistics, and some very shrewd observations on their significance. The thirty-odd well conceived charts, graphs, and tables disclose all the important information one could hope to get from statistics. It does not detract from their value that they tend to confirm impressions which students already would have entertained. Thus voter interest in primaries is less than in general elections, but is steadily increasing; candidatures increase in time of economic stress; for many positions there are no contests; voter interest is greatest for the more important positions; and participation in the primary of the party in power is greatest. Indeed, the data disclose little that is surprising, but do present exact information which scholars should welcome: "The data here presented are the distillation of years of collecting, recording, tabulating, arranging, and analyzing the voting statistics of Michigan's primary and general elections from the inception of the primary system through the year 1935. Some 78 million primary votes and some 152 million general election votes have been used" (p 12). With Dr. Pollock's two main contentions, few students would differ: (1) the direct primary is much to be preferred to the caucus-convention system, and should not be repealed; (2) many of the alleged evils of the direct primary would rapidly disappear if the ballot were shortened and minor administrative officials were appointed. Some of his other opinions, though entitled to great respect, do not seem quite so convincing: that the direct primary does not tend to undermine party responsibility in spite of raiding (p. 60) and pressure for the "open" type; and that the absence of contests does not suggest undue influence of party leaders behind the scenes (p. 62).—KIRK H. PORTER.

Continual and extensive changes in American governmental organization and practice impose upon authors of general survey textbooks in this

field the obligation of frequent revision. Not only must the subject-matter be brought up to date, but emphasis and approach must be periodically reëxamined in the light of new knowledge and experience. Chester C. Maxey's *The American Problem of Government* (4th ed., F. S. Crofts, pp. ix, 645, $3.80) is the latest revision of one of the better known works of this type, the original edition of which appeared in 1925. As in the earlier editions, the author has chosen to place unusual emphasis upon fundamental concepts of political science and government and to lean heavily upon the so-called functional approach in describing the processes and problems of government at national, state, and local levels. The text is organized into five major divisions. Part I, dealing with "Political Fundamentals," constitutes probably the most distinctive feature of the book as a text in American government. In the six chapters of this section, basic political concepts and doctrines relating to the state, political authority, and governmental forms and functions are surveyed at some length. The next three sections are devoted to an examination of American governmental structures and processes, with a minimum of attention to descriptive detail. In Part V, entitled "American Political Problems," the author deals with the major fields of American governmental activity. The style is simple and readable and should appeal to the college student. There is a conspicuous absence of footnotes, bibliographical or otherwise; however, there are short bibliographies of general works at the end of each chapter. In dealing with controversial questions of public policy, the author maintains a commendable objectivity and impartiality. Although the sections dealing with structures and processes would probably prove too brief to permit use of this text in a year course in American government, it appears to be well adapted for use in a one-semester course. Its emphasis upon political theories and concepts and the brief description of governmental systems other than our own should make it particularly valuable for students whose study in the political science field is limited to one course.—Joseph E. Kallenbach.

Dorothy Ganfield Fowler's thesis is set forth in the title of her book: *The Cabinet Politician; The Postmaster-General, 1829–1909* (Columbia University Press, pp. x, 344, $3.75). In her preface she explains why she has limited her study to the years 1829 to 1909. It was in 1829 that the office of Postmaster-General became a Cabinet position, and by 1909 the political pattern of giving the position of Postmaster-General to the foremost politician of the party had been established. Another reason for the termination of the study in the year 1909 was the unavailability of the correspondence of later participants. Through the use of a mass of material, involving a large amount of research, Mrs. Fowler has certainly made good her claim that the Postmasters-General have been the outstanding

politicians of the President's Cabinet. Upon Jackson's elevation of Postmaster-General William T. Barry to the Cabinet, the *National Intelligencer* maintained that the postal service was being turned into a political machine. Mrs. Fowler refutes this conclusion on the ground that "the postmasters had been local politicians and had managed, either as officers or behind the scenes, the party machinery long before 1829." The number and political activities of the postmasters were facts recognized by all political parties. With scholarly thoroughness, Mrs. Fowler relates in considerable detail the story of the appointments of the various Postmasters-General and their use of their powers of patronage to fill the post-offices with party members. It is a sordid tale, but Mrs. Fowler also traces the movement for civil service reform, which gradually removed more and more of the postmasterships from the spoils system. She concludes somewhat optimistically that "shorn of his patronage weapon, his employees forbidden to participate actively in party management or be assessed for campaign funds, the Postmaster-General may become, like his British counterpart, merely the head of a large business organization, rather than the political adviser of the Chief Executive." The book is thoroughly documented, and there is a lengthy bibliography. While it is difficult to draw the line on exclusions from such a bibliography, one wonders at the omission of Mary L. Hinsdale's *History of the President's Cabinet.*—EVERETT S. BROWN.

The title of Carroll Storrs Alden and Allan Westcott's *The United States Navy; A History* (J. B. Lippincott Co., pp. x, 452, $4.00) may well carry the subtitle, "Our National Navy," for the story of our Navy as related is strictly that. This timely and up-to-date treatment represents the Navy as the military arm safeguarding our shores, shipping, and sea communications from the conception of American nationhood through its expansion to Guadalcanal. Emphasis is given to interference with the sea trade of the enemy and to naval engagements. In the early chapters dealing with the Navy during the Revolution and the War of 1812, the tendency is to present interesting detailed accounts and almost crow's nest views of the engagements of our craft. Only brief description is given of the Revolutionary state navies, the Continental Navy, and the features of early naval administration after the formation of the Union. Privateering is shown to have been both expedient and profitable. Beginning with Washington's generalship, the authors, in various instances throughout our history, point to the importance of well-coördinated army-navy action and describe such instances. The work is only mildly critical on occasion, and this usually extends only to strategy and not to naval policy. Both the observations and the criticisms on strategy represent the stronger features of the work, and those on policy the weaker. More attention to

naval policies before political branches of our government, to the Navy's contributions to the building of our foreign trade and international relations, to its relation to our diplomacy and to American industry, and to the general administration of the Navy would have helped clarify the part of a navy in democratic government. A generous quantity of maps, tables, and diagrams, together with a clear and easy style, makes this elementary work attractive. References are to general treatments of the subject and usually to secondary sources, state papers and documents being omitted.—H. C. Cook.

In his *Before Bataan and After; A Personalized History of Our Philippine Experiment* (Bobbs-Merrill Co., pp. 315, $2.50), Frederic S. Marquardt gives just what the secondary title leads one to expect. The quibbling reviewer could find much to criticise in the work, from the author's use of some of the hoary canards of the Spanish War period to his unfailingly finding only the best of all possible interpretations for most of his characters. But all this may be forgiven in view of the thesis of the book, which is, that thousands of American school-teachers and the officials of the American government made the Filipinos realize that they were men who were worthy of being treated as such. Once this viewpoint became widespread, the day of Philippine independence was only a matter of time. Mr. Marquardt goes into some detail with his personal observations on this change as shown in men's eyes and posture. In one sentence, he answers all the critics who have said that English was forced upon helpless natives who really should have been taught in Spanish. "But the basic reason for using English was that in teaching a people democracy it was wise to use the language to which most of the great democratic principles were native." That the early decisions and subsequent activities were in the main correct is proved by the action of the Filipinos who, alone among the natives of the colonial powers of the East, resisted the onslaught of the Japanese with fanatical zeal. They were fighting for their homes and their freedom. In terms of Bataan, Mr. Marquardt's logic is unanswerable. He proposes that when this war is over the colonial powers, under the leadership of the United States, should, over the course of the next several years, put into practice a policy similar to that pursued by the United States in the past. This would mean a period of tutelage with the definite promise of independence in the future; a period of mutual helpfulness such as the relationship between the United States and the Philippines was supposed to involve from 1935 to 1946; and, finally, complete freedom. Only by following such a program, says Mr. Marquardt, can other wars in the Pacific be prevented. Difficult as this program may be for reactionaries and isolationists to approve, it can be carried out. "We have proved that in the Philippines. And it will pay, as was shown

on Bataan. If we can help the subject peoples of this vast area [the Japanese conquered lands] as we helped the Filipinos to become hardy, self-reliant nations, then perhaps there will be some hope that the Pacific can live up to its name for generations to come" (p. 301).—ANDREW E. NUQUIST.

The recent literature on war economics has varied from serious monographs to mere business men's guides. Dr. Julius Hirsch's *Price Control in the War Economy* (Harper and Brothers, pp. xvii, 311, $3.00), although a thoughtful economic contribution, was intended primarily for the interested layman. The author had considerable price-fixing experience in Germany during the first World War and subsequently on the Continent, and his observations are pointed accordingly. In the course of his explanations of the mechanics of price control, many related subjects are treated: rationing, the priority system, money and credit controls, and the administration of the Office of Price Administration, among others. The appendix contains additional information; and such critical pricing problems as those of agriculture and labor are discussed in considerable detail. It is the author's belief that, despite differences in natural resources and procedures, there is a natural sequence of price-control, consisting of "consecutive stages which follow one after the other in the adjustment of almost every country to a total economy." To a great extent, Hirsch's point of view is that of the American business man, and for this reason undue weight appears to be given to the fair-price concept. Likewise his confidence in the power of the Fort Knox gold hoard to stem inflation, as well as his optimistic approach to the problems of increasing industry cartelization, seem unwarranted. It is to these points particularly that Leon Henderson, who wrote the foreword, takes exception. However, the book is useful because of its catholicity of information and its sincerity of purpose, namely, the prevention of inflation.—RITA DAVIDSON.

Labor and the War is the sixth of the Labor Fact Books, prepared by the Labor Research Association (International Publishers, pp. 208, $2.00). It is a complete compendium of useful information on all phases of labor problems and relations growing out of the war. It contains nine parts, which deal with the following subjects: (1) "Economic Trends," (2) "Problems of the War Economy," (3) War Production and Planning," (4) "Trade Union Organization," (5) "Unions in the War," (6) "Labor Relations and Labor Boards," (7) "Labor and Social Conditions," (8) "Farmers and Farm Workers," and (9) "Labor Abroad." There are but few source-of-information citations furnished, but, as the writer in the foreword says: "This is another word-saving device. As usual, we shall be glad to give any reader, on request, the source for any fact or figure." A four-page list of books and pamphlets which have appeared during

the last two years on labor topics is a valuable feature. The index is very well prepared, so far as topics are concerned, but the name index is woefully incomplete. What came as a shock to me was the discovery that John L. Lewis is mentioned only once by name in the more than 200 pages of this *Labor Fact Book*—and the United Mine Workers not even once, so far as I can find. Frances Perkins appears on page 129, but there is no mention of Isador Lubin except on the inside cover of the book!—JOHN G. HERNDON.

Maryland During and After the Revolution (Johns Hopkins Press, pp. xiv, 185, $1.75), by Philip Crowl, covers the transition of Maryland between secession from the British Empire and accession to the American Federation. Based on official documents of the province and state of Maryland, documents of the federal government, and contemporary newspapers and manuscript collections, this is an analysis of post-Revolutionary problems, the confiscation of British property, the collection of pre-war British debts, the issuance of paper money. The author acknowledges and the student will readily observe "the invaluable guidance of Mr. Charles A. Beard." Conceding that "the economic interpretation of history" is not particularly pertinent to Maryland politics, the author nevertheless emphasizes the importance of "men of more than average wealth, men of education, men accustomed to govern," who dominated Maryland from 1776 when they established an aristocratic state government to 1790 when they ratified the federal constitution which promised "the perpetuation of the rich and well-born in the national government." The historian will welcome a similar monograph for each of the thirteen states.—MARIAN D. IRISH.

Under the somewhat misleading title, *Lords of the Levee; The Story of Bathhouse John and Hinky Dink* (Bobbs-Merrill Company, pp. 384, $3.00), Lloyd Wendt, feature writer of the *Chicago Tribune*, and Herman Kogan, staff member of the *Chicago Sun*, have woven around the persons of Aldermen John J. (Bathhouse John) Coughlin and Michael (Hinky Dink) Kenna a political history of Chicago, and more especially of its First Ward, covering a period of half a century. Though lacking in page documentation and intended primarily for the general reader, their study shows evidence of many hours spent in going through newspaper files, as well as more than a little time devoted to personal interviews. The use of the historical pattern has its advantages in a book of this character where a great volume of details has been collected from the pages of newspapers, but it results in a repetition of election frauds, vice protection, franchise "steals," and political manipulation which becomes monotonous. Moreover, such a technique makes it difficult to portray "Bathhouse John" and "Hinky Dink," who represent the nth degree of color in Ameri-

can politics, with the clarity that might be wished or to deal as adequately with political organization and methods as political scientists might desire.—HAROLD ZINK.

Political scientists interested in following current efforts of national organizations to work out plans for dealing with America's post-war problems will find the second edition of *Post-war Planning in the United States: An Organization Directory* (Twentieth Century Fund, pp. xli, 101, $1.00) a reference guide of genuine value. Of 137 agencies listed, 28 are public and 109 private. Three types of information are given for each: background, activities, and personnel. Evidence of planning activity on such a scale is doubtless to be welcomed; inevitably, however, it carries a warning of the need for coördination. Readers of this REVIEW who are participating in the research and educational programs of these organizations are especially obligated and qualified to lead in accomplishing such coördination. Prompt and continuous discharge of that obligation would constitute as significant a service as most of us here at home will have an opportunity to perform during the war.—JOHN A. VIEG.

School of the Citizen Sailor (D. Appleton-Century Co., pp. xiv, 615, Civilian Defense Edition, $2.40) is a useful and stimulating source of background materials on the war for the individual lay citizen and discussion groups. Slightly better than one-half of this book is a reproduction of several sections from the previously published *School of the Citizen Soldier*, which was originally adapted from the education program of the Second Army. These reprinted sections include "Geography and World Trade," by William G. Fletcher, "The World Crisis," by the Second Army Board, and "American History and the Constitution," by Ralph H. Gabriel. The long, new section on "The Armed Services," written by Louis H. Bolander, associate librarian of the United States Naval Academy, contains eight fascinating chapters on the history and organization of the Navy, two on the Army, three on the navies of the Axis, and two, prepared by the Second Army Board, on war-time propaganda.—L. H. ADOLFSON.

Leonard B. Irwin's *New Jersey—The State and Its Government* (Oxford Book Co., pp. 124, $0.48) is primarily designed for use as a text in high school social science classes. As such, it has no doubt fulfilled the author's purpose, namely, the presentation in a single publication of an "up-to-date picture of the structure and principles of the state government and its localities." There is very little in the book, however, which mature students of New Jersey government will find helpful. The treatment is almost wholly of a factual and descriptive nature. Still to be written is a work on New Jersey similar to the admirable study of Pennsylvania government by Tanger and Alderfer.—DAVID G. FARRELLY.

FOREIGN GOVERNMENT AND POLITICS

In judging a book, it is well to be guided by what the author has admittedly set himself to do. S. Harrison Thomson has not intended his *Czechoslovakia in European History* (Princeton University Press, pp. viii, 390, $3.75) to be "history in the orthodox sense of that term," but rather a historical discussion "of several of the more acute problems of Czechoslovak life and history." The *leitmotiv* of the book is that the Czechs have a right to independence well grounded in history, and that the Germans, the Hapsburgs, and to a great degree Roman Catholicism, have been inimical to their legitimate political aspirations. Over half the book is devoted to the period before 1914, and most of it deals with Bohemia-Moravia, only one rather inadeqate chapter being devoted to modern Slovakia under Hungarian domination. More by way of interest than because of sheer importance, Subcarpathian Ruthenia could well have been accorded a few more pages, especially in the most recent periods. The author is well aware that his combination of topical and chronological approach necessitates some repetition, and no doubt would agree that it leaves a good deal of the synthesis to the reader. The political aspects of the Thirty Years War are treated in two chapters centering on the relation of Czechoslovaks and the Hapsburgs before and after the battle of the White Mountain (1620), while the resulting confiscation of lands and the cultural results are reserved primarily for a long historical chapter on German-Czech relations. Although it is convenient to have a chapter on Germans in Bohemia from Maria Theresa to 1918, the reader is left to work this history into the discussion of the renaissance of Czech nationalism with which the next two chapters deal. Throughout there is an unconfusing, common sense treatment of such terms as Czech, Sudeten German, Bohemia, race, nationality—words over which a purist might wrangle no end. There are also many well chosen references and connections made between modern times and earlier periods which definitely point up the book. The author is frankly Czechophil. He regards footnotes as an annoyance, and they are replaced by short lists of selected references for different chapters. This is not always a happy solution for a book which verges on being a monograph and deals with so many controversial subjects. Many would certainly disagree with the characterization of a "Berlin-dominated Hapsburg court," and that "Austrian foreign policy had been dictated from Berlin for decades." The discussion of the Masaryk-Beneš efforts to obtain the recognition of an independent Czechoslovakia during the last war and the discussion of the negotiations leading to the Munich Accord in 1938 are both timely and particularly well done. Unfortunately, the rather alluring outlook envisaged as a result of the Polish-Czechoslovak declaration of January 23, 1942, has, at least for the present, faded from the picture.—E. C. HELMREICH.

Napoleon III (Harvard University Press, pp. viii, 338, $3.50), by Albert Guérard, is a distinguished addition to the historico-biographical series, "Makers of Modern Europe." Dexterously combining literary artistry and scholarly research, it is a portrait of a man and an interpretation of a period treated as a single historical entity. "Brought up in the purest Republican faith," a scholar of thirty years' standing in French literature and philosophy, Professor Guérard is no sentimental Bonapartist, yet this is essentially a personal appreciation of the Providential Man and his Cause. Avoiding backstairs tattle of the political adventurer and elderly rake who was master of ceremonies in the Second Empire, Professor Guérard respectfully appraises the lonely leader "with unfailing gentleness, quiet intellectual courage, profound generosity." Napoleon III is "St. Simon on Horseback," a humanitarian who planned to make the people rich by balancing agriculture with industry. In terms of economics, the Second Empire was a profitable venture; even after Sedan, France was wealthier than her conqueror. Politically, the experiment was less successful. Napoleon III claimed to have short-circuited representative government because he, the elect of the people, wanted to expedite the good of the common man, but he failed in his purpose, since "the principle of direct democracy was not applied in its full and honest simplicity." The pattern of Caesarian Democracy, security, order and prosperity obtained through personal leadership, non-partisan plebiscites, national unity, was too confused with legend and personality. Professor Guérard notes the striking similarities between the Second Empire and the Nazi régime, and although he rightly refuses to interject modern controversy into his text, he deliberately lets "the present throw light upon the past." Thus the reader regarding history as "the present with a perspective" will find many clues to contemporary politics as he pursues the fascinating complexity of detail which leads to the "Day of Judgment" for Napoleon III.—Marian D. Irish.

Because India has an important place in world politics, R. Palme Dutt's *The Problem of India* (International Publishers, pp. 224, $2.00) is a timely and valuable book. The author, who has been for almost a generation the editor of the British *Labor Monthly*, is impressed with the need for an immediate solution of the crisis in India. He believes that the wholehearted coöperation of the 400 millions of India can still be had to end the war speedily. There is apparently no way of convincing the British official circles of the fairness of the Indian cause against their will. Mr. Dutt is, however, persuaded that the majority of British opinion would welcome a solution of the Indian problem and that such a solution is quite practicable. The final settlement must, of course, be on the basis of complete independence; but that can wait until the war is over. Meanwhile a pro-

visional national government, composed of the representatives of all important parties and groups, should be promptly established and be given collective responsibility for organizing India's civilian war effort. Such a coalition government, with the British Viceroy acting like a constitutional sovereign, it is believed, will command the support of the 95 per cent of political leaders in India who are opposed to the present rule of the gauleiters. The most urgent matter is to start negotiations and break the deadlocks forthwith. Some of the chapters of the book are packed with facts about Indian wealth and poverty, common people and titled princes, national movement and British régime. For all who want a clear and penetrating analysis of the Indian problem, this is a "must" book.—SUDHINDRA BOSE.

The Property Qualifications of Members of Parliament (Columbia University Press, pp. 245), by Helen E. Witmer, is a long and interesting footnote to Porritt's *Unreformed House of Commons*. The particular subject-matter is the Qualification Act of 1710, which required all members of the House of Commons to possess landed property—an act which remained on the statute book until 1858. The Qualification Act was not the earliest requirement made of candidates for the House of Commons that restricted them to men of means. It was, however, a definite attempt to limit membership to a small class who were "landed men" rather than "moneyed men," men with "a stake in the country" rather than with fortunes invested in commerce or industry. Passed by the Tories in the reign of Anne in order to make their political position secure, it failed of its purpose because it was so easily and so generally evaded. The total effect of the act and the way it was administered was, however, to keep the House of Commons restricted to men of wealth or men with wealthy backers. Dr. Witmer's study is thus an analysis of some of the fundamental aspects of parliamentary representation. With a great deal of detail, much of it interesting, she traces the history of the property qualification and shows its relationship to the personnel of the House of Commons, to party politics, and to the problems of parliamentary bribery and corruption. The study covers the period from the end of the seventeenth century until the repeal of the act in 1858.—EUGENE P. CHASE.

In this volume entitled *England's Road to Social Security* (University of Pennsylvania Press, pp. 281, $3.00), Karl de Schweinitz has made a significant contribution to the field of the social sciences. This is a thorough and informative study of the entire problem of economic insecurity and a detailed analysis of the manner in which England has dealt with this problem over a period of six hundred years. The work is both historical and analytical, covering the entire range of English effort from the Statute

of Laborers in 1349 to the Beveridge Report of 1942. The author finds that up to the sixteenth century, the approach of government to the problem of poverty was primitive and repressive. In England, the government first took positive responsibility for the relief of economic distress in the reign of Henry VIII. The author also discusses early efforts to solve the problem of human insecurity on the Continent and the later programs in Hamburg and Munich. This volume is not a mere chronology of English progress, but also a clear and perceptive analysis of the chief problems involved in the administration of poor relief. A valuable bibliography is appended listing the laws, statutes, parliamentary debates, reports of royal commissions, books, and other original source material on the subject. The study contains valuable information for every student of government and of human society, particularly in the United States, where governmental responsibility for abating human distress caused by economic insecurity is so recent an acknowledged obligation.—ELIZABETH A. WEBER.

Walter A. Morton's *British Finance, 1930–1940* (University of Wisconsin Press, pp. xii, 356, $4.00) has as its purpose an interpretation of the functioning of the British financial system during the last ten years of relatively free economy. After describing in Part I the world financial crisis leading to the suspension of the gold standard in 1931, which set off a revolution in monetary policy in both hemispheres, the author in Part II considers the international effects of gold suspension and discusses the subsequent events until the end of the decade. The extent that governmental intervention rather than traditional forces affected fluctuations in the exchanges is emphasized. In Part III, he turns to the domestic side of British monetary policy, particularly to the cheap money program and its effects. Facts are uncovered in an objective manner which help to explain why the first major country to adopt a managed currency system deliberately shied away from a managed economy and budgetary deficits, yet staged a natural recovery. Although this scholarly work was written for those primarily concerned with the highly specialized subject of money and credit and international finance, it holds a large measure of interest and pertinence for the political scientist. The influence of practical political factors upon economic theory and practice is continually stressed.—JOHN A. PERKINS.

The African Section of the University Museum of the University of Pennsylvania has undertaken, in collaboration with the Committee on African Studies of that institution, the publication of a series of booklets known as the "African Handbooks." The first item in this series to appear is Herbert J. Liebesny's *The Government of French North Africa* (University of Pennsylvania Press, pp. 130, $1.50). If the other studies in the

series are up to the standard of scholarship set by Mr. Liebesny, every one who deals with African problems will have cause to rejoice. After a brief introduction dealing with the ethnic constituency of French North Africa, the author examines the legal basis for the administration set up by France in that region. Then follow chapters describing in some detail the origins, development, and current (pre-war) status of the administrative machinery in Morocco, Tunisia, and Algeria. In some cases the author has sought to include the decrees and administrative changes effected by the Vichy régime. The concluding chapter deals with the "legal systems in the French dependencies," following which will be found a three-page "guide to legal sources" and an appendix containing the texts of the treaties establishing the French protectorates in Tunisia and Morocco. The principal criticism which might be made of this highly useful little monograph is that it is more concerned with the morphology than the physiology—and pathology—of government. The relevant legislation, administrative and judicial codes, and decrees are explored and analyzed. But one is sometimes left wondering—how do all these actually work out in practice?—ROBERT GALE WOOLBERT.

By editing *Independence for India?* (*The Reference Shelf*, Vol. 16, No. 3, pp. 292, $1.25), Julia E. Johnsen has performed a service which will be appreciated by college debaters and by groups in and out of college interested in discussing current controversial issues. The contents have been judiciously chosen, although, in an effort to present the situation as it is rather than as it was, very little of what first appeared in print prior to 1942 is included. As it stands, the book is a useful anthology of the best current literature on the problem of Indian independence, drawn for the most part from leading periodicals. It is divided into three approximately equal parts. The content of the first is interpretative and non-controversial in character. The case for India is presented in the second, and the case for Britain in the third. An extensive bibliography, confined in the main to writings of "recent issue and present relevance" and running through thirty pages, is not the least valuable part of the book.—RALPH A. NOREM.

INTERNATIONAL LAW AND RELATIONS

Publications on airways are, by the nature of their topic, bound to be well-received. Both the general public and the specialist will find justification for reading William A. M. Burden's *The Struggle for Airways in Latin America* (Council on Foreign Relations, pp. 245, $5.00). Current interest in foreign aviation, in Latin America, and in the competitive romance of various air companies, makes the book a timely publication, as it takes up in turn such things as the familiar "Scadta Incident," the reasons why Pan-American escaped cancellation of its air mail contracts in 1934, the relationship between Pan-American Grace and Pan-American, the importance of aviation to the U. S. Rubber program in Brazil and to

various mining programs elsewhere dependent on cargo airplanes for their functioning. The specialist will be attentive during the discussion of the intricacies of the various European attempts to dominate Latin America by air. Berlin and Rome were definitely entrenched in Latin America in 1939 through their control of 10,000 miles of air routes in that continent, together with the two trunk lines between South America and Europe. Within a year, the South American governments, with the aid of the United States, had broken the back of this Fascist air network. The general reader will be enlightened by the spelling out of United States foreign policy in the area in terms of aviation. Both groups of readers will be interested in the author's justification of Postmaster-General Brown's policy establishing a monopoly in foreign air transport for Pan-American, at the time when some decision was necessary. On the other hand, the author's considered judgment that Pan-American's performance has been good, but not outstanding, is a reassuring indication of fairness. In view of the contemporary controversy over competition-vs.-monopoly in post-war foreign aviation, the reader will note the author's vote in favor of controlled United States competition. This is more than a book on a mode of transportation in an undeveloped, therefore unprejudiced, transportation continent. There is much of the atmosphere, history, economics, politics, and geography of Latin America itself. There is a time and distance concept that will challenge the imagination, as for example, the conclusion that the time-distance between New York and Buenos Aires after the war will be only one and one-half days. There are significant insights into the differentiation between the Latin-American republics—witness the discussion of Argentina's relative unconcern with aviation. Broad issues such as foreign domination versus Latin-American nationalism are focused on the point of control of given airlines. "As of December, 1942, the Latin-American airline system covered 103,200 miles, 40 air transport companies, operating some 250 multi-engined airplanes, averaging 2.3 trips per week." The Statistical Appendix, plus the unusual maps and the excellent chapter notes, give weight and substance to a format which is designed to appeal to the general reader—namely, simple sentences, large print, plentiful photographs. The book should not be ignored. Its author is Aviation Assistant to the Secretary of Commerce.—FRANCES R. FUSSELL.

The publication of *Documents on International Affairs, 1938* (Oxford University Press, pp. 518, $10.00), delayed on account of the war, has now appeared in its first volume. Under the editorship of Monica Curtis, it shows all the evidence of skilled selection and compression which one associates with this serial from Chatham House. Omitted from the volume are documents concerning the relations of Germany with its neighbors, and particularly the annexation of Austria and the Munich crisis. These

are to appear in a second volume. The usual grouping of documents under Europe, Far East, America, and "General" is followed. With perhaps two exceptions, the documents are well selected, and each grouping is preceded by an admirably concise summary of the documents and events which evoked them. Such features give the volume compactness, continuity, and a high degree of usefulness to anyone who consults it. Needless to say, the documents for a year like 1938 are not only valuable as references; they make exceedingly interesting reading at this particular juncture of affairs, when so many groups and agencies, both public and private, are considering ways of avoiding in the future just such a deterioration as occurred in 1938. The wars of the present are related to the banditries of the peace—and, be it added, the social problems of the peace. Just as few years can compare with 1938 in its breath-taking rush of events, so few years can present so many lessons for our post-war thinking. The material on America is, of course, not so complete as that to be found in such a collection as Jones and Myers, *Documents on American Foreign Relations, January, 1938–June, 1939*, but this is to be expected. Two such volumes are needed to supplement each other, and these do so very excellently. The fourth group (General) conveniently includes the Van Zeeland report, as well as material on refugees and naval armaments. One is surprised to find no documentary evidence of the progress made in 1938 with the United States trade agreements program, particularly since the agreement with the United Kingdom was signed in that year. Still less explicable is the omission of any extracts from the very notable report of Harold B. Butler as director of the International Labor Office or from his remarks at the last International Labor Conference which he served as Secretary-General. Some presentation of the social issues in international relations during the year covered seems to this reviewer to have been deserved, and suitable extracts from such documents as those suggested would have been appropriate. Admittedly, it is not easy to select those documents which depict the underlying social events of a year, but the annual report of the director of the International Labor Office always provides a convenient and authoritative summary. Surely it is not heresy at this juncture of human affairs to insist that international relations are not compounded of political events only, and one hopes that more along the social line may be developed in future editions of this useful serial.—SMITH SIMPSON.

In *Comparative Peace Plans* (Philadelphia: Pacifist Research Bureau, pp. 87, $0.25), by Theodore Paullin, the Pacifist Research Bureau seeks to "make a contribution based on sound research" and "frankly bases its work upon the philosophy of pacifism: the man should exercise such respect for human personality that he will employ only love and sacrificial good-will in opposing evil." Official plans analyzed include suggestions of

President Roosevelt, Vice-President Wallace, Secretary of State Hull, and others in the United States, plus British, Russian, Chinese, and "Governments in Exile" proposals. Among the unofficial plans, practically all of the extant studies, in book and other form, are examined and summarized, including those of religious groups at home and abroad. In particular, the pacifist viewpoint is well presented, disclosing the inadequate consideration given the little matter of a workable method of bringing about general observance of "a world bill of rights which would guarantee equal privileges to all persons regardless of race or creed or nationality, wherever they may reside" (p. 74). Dependence upon "brotherhood of man and universal democracy" simply is not enough. A whole series of debatable assertions are made on pp. 75 to 80, beyond the space allotted this review to discuss. "While pacifists in general agree with the desirability of international organization, most of them insist that it must not depend for its influence upon military power, but must proceed to act so justly and beneficially toward the member states that they will never have a desire to destroy it" (p. 82), represents a fairly complete statement of the viewpoint advanced in the Conclusions, plus a rather surprising statement that "they [the pacifists] might be willing to accept" an "international organization which did "have the power of military coercion . . . provided its military features were subordinated to its legislative, judicial, and administrative agencies" (p. 86). That being the actual rôle assigned coercive force in most of the plans for post-war organization, there seems to be some hope for pacifist support of the idea.—WILSON LEON GODSHALL.

While the plan of T. S. Lovering's *Minerals in World Affairs* (Prentice-Hall, pp. ix, 394, $4.00) is very commendable, its execution is satisfactory only in part. The book was not intended as a scholarly treatise, but as an integrated survey of topically related fields. The world's major minerals are approached from the diverse viewpoints of the geologist, geographer, historian, production expert, economist, and political scientist. The author, a professor of economic geology, is at his best when surveying the geology and geographic sources of supply of various minerals and the production techniques and economics of the mining industries. In this respect, the book will be useful to the college student and the interested layman. However, the discussion of strictly political and economic problems is not only over-simplified but also thin, vague, and often replete with fallacies. Statements such as the following two are positively misleading: "The volume of the output depends on demand, which in turn is governed largely by the cheapness, quality, and efficiency of the products when put to use" (p. 7), and " . . . economic competition in its most intense form is war" (p. 9). *World Minerals and World Peace*, by C. K. Leith, J. W. Furness, and Cleona Lewis—recently reviewed in this journal—is far superior to *Minerals in World Affairs* in its treatment of

the broader political and economic issues related to mineral production, trade, and consumption.—K. E. KNORR.

"The promotion of democratic discussion, under authoritative and scholarly leadership, of the major issues of future policy" is the purpose of the Institute under whose auspices a series of publications—of which the pamphlet, *A Survey of Literature on Post-war Reconstruction* (New York University Institute on Post-war Reconstruction, pp. 100, $1.00), by Adolf Sturmthal is the first—is forecast. The topics upon which American opinions have been collected and are published in the pamphlet mentioned include "Shall We Plan—Now?"; "Planning—For What?", with as sub-topics "Full Employment," "Social Security," and "Minimum Standards of Living"; "Full Employment," sub-divided into "The Theory of Employment," "Remedies," "The Debt Problem," "A Note on International Aspects," "Secular Stagnation," and "Making Markets"; "Social Security" again presented, now as a major topic; "Minimum Standards of Living," also presented as a major topic; "Freedom and Organization," with as sub-titles "The Theory of Monopolistic Competition," "The Social Problem of Corporations," and "The Monopoly Problem." British ideas on "Full Employment," "Social Security," "Minimum Standards of Living," and "Planning and Freedom" conclude the summaries. A bibliography of 105 titles will be found very useful to students in the field.—WILSON LEON GODSHALL.

Egypt and the Suez Canal (Washington: Government Printing Office, pp. 67) is one of the War Background Studies published by the Smithsonian Institution and written by one of the Institution's archeologists, H. H. Roberts, Jr. It gives the reader a speaking acquaintance with the whole sweep of Egyptian history in a brief but well-balanced presentation. Most of the space is naturally devoted to ancient times. Out of 22 pages on modern Egypt, only four are given to government and politics since the last war, which means that there is little of interest to the student of current affairs.—WILBUR W. WHITE.

POLITICAL THEORY AND MISCELLANEOUS

The second volume published by the Institute of Comparative Law of the newly-formed École Libre des Hautes Études, *Le Droit Raciste à l'Assaut de la Civilisation* (Éditions de la Maison Française, 610 Fifth Ave., N. Y., pp. 137), is an important contribution to the growing body of literature now available dealing with the ghastly Nazi hoax of racism. Ernest Hamburger, general secretary of the Institute, contributes a discussion of "The Extermination of the German Jews by the Hitlerian Régime." Max Gottschalk, professor in the faculty of law of the École Libre, writes on "The Racist Legislation in Comparative Law." Professor Paul Jacob discusses "The Application of Racist Law in France," And

there is finally a lengthy essay by Jacques Maritain, currently president of the École Libre, on "Racist Law and the True Significance of Racism." These four scholars seek to do two things: to present a picture of what has happened in Europe in the name of racism, and to offer some kind of interpretation of what Maritain calls "an irrational collective psychosis." As everyone knows, the picture is not a pretty one, and the authors do not spare the reader by trying to ignore the unpleasant and grisly facts resulting from a policy which has as its deliberate purpose the extinction of a group of human beings numbering several millions. Indeed, Maritain suggests that in all probability, if we had all the facts available, the situation of the Jews of Europe would appear to be far more terrible than it now seems to be. On the interpretative side, all of these observers agree that Nazi racism is far more than anti-semitism; it is a fiction designed for the ultimate enslavement of the world. The Nazi war against the Jews, they believe, is merely a phase of a larger war against democracy, liberalism, and Christianity, against the living values of Western civilization. They agree, furthermore, in the conviction that German racism is not merely a creation of Hitler, but is, on the contrary, deeply-rooted in Pan-Germanic dreams of conquest and domination, and that the defeat of Hitler will not of itself defeat the things for which he has become the symbol. The reviewer hopes that this spirited book will be translated into English so that it may reach a wider audience.—DAVID FELLMAN.

Scattered here and there in Col. Charles Sweeney's *Moment of Truth* (Scribner's, pp. 305, $2.75), one can find several interesting and informative passages. For example, the author clearly reveals the powerful influence of the German General Staff in recent German history, at the same time pleading for post-war arrangements carefully devised to prevent the reappearance in Germany of a similar organization. In addition, his résumé of the military significance of European-North African topography is very useful to the non-military layman. However, one or two magazine articles would have sufficed to present to the public the valuable parts of this treatise. As a book, it is not well planned. Its several parts are not adequately interrelated, and at times the reader finds himself seeking the author's objective in writing the book. Perhaps he sought a vehicle for displaying his objections to Britain's foreign policy and conduct of the war, and to politicians everywhere regardless of nationality. The author is unimpressive in his analysis of Europe's ethnographic problems. And, finally, the reviewer was left uninspired by his panacea for the home front—a panacea based on the elimination of "politicians" and business men from national administrative positions and their replacement by naval and military officers, and the nomination of Herbert Hoover as national food czar.—VERNON A. O'ROURKE.

RECENT PUBLICATIONS OF POLITICAL INTEREST

BOOKS AND PERIODICALS

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University of Illinois

AMERICAN GOVERNMENT AND PUBLIC LAW

Books and Pamphlets

Abernethy, Byron R. Liberty concepts in labor relations. Pp. 130. Wash.: Am. Council on Pub. Affairs. 1943.

Cable, John L. Loss of citizenship, denaturalization, the alien in war-time. Pp. 149. Wash.: Nat. Law Book Co. 1943.

Cant, Gilbert. America's navy in world war II. Pp. 443. N. Y.: Day. 1943.

Carlson, John R. Under cover; my four years in the nazi underworld of America. Pp. 544. N. Y.: Dutton. 1943.

Floherty, John Joseph. Inside the F.B.I. Pp. 191. Phila.: Lippincott. 1943.

Fowler, Dorothy Ganfield. The cabinet politician; the postmasters-general, 1829–1909. Pp. 354. N. Y.: Columbia Univ. Press. 1943.

Graham, George A., and *Reining, Henry, Jr.*, eds. Regulatory administration. Pp. 254. N. Y.: Wiley. 1943.

Hehmeyer, Alexander. Time for change; a proposal for a second constitutional convention. Pp. 222. N. Y.: Farrar & Rinehart. 1943.

McCune, Wesley. The farm bloc. Pp. 284. Garden City (N. Y.): Doubleday. 1943.

Martin, James W., and *Others.* The state auditor. Pp. 75. Lexington (Ky.): Bur. of Bus. Research, Univ. of Ky. 1942.

Maxey, Chester C. The American problem of government. 4th ed. Pp. 654. N. Y.: Crofts. 1943.

Ogg, Frederic A., and *Ray, P. Orman* Essentials of American government. 4th ed. Pp. 474. N. Y.: Appleton-Century. 1943.

Oral tests in public personnel selection. Pp. 174. Chicago: Civil Service Assembly. 1943.

Perry, Charner M., ed. The philosophy of American democracy. Pp. 169. Chicago: Univ. of Chicago Press. 1943.

Pollock, James K. The direct primary in Michigan, 1909–1935. Pp. 81. Ann Arbor (Mich.): Univ. of Mich. Press. 1943.

Puttkammer, Ernst W. Alien enemies and alien friends in the United States. Pp. 25. Chicago: Univ. of Chicago Press. 1943.

Richberg, Donald R. Government and business, tomorrow; a public relations program. Pp. 210. N. Y.: Harper. 1943.

Robinson, Thomas Porter. Radio networks and the federal government. Pp. 288. N. Y.: Columbia Univ. Press. 1943.

Ruml, Beardsley. Government, business, and values. Pp. 52. N. Y.: Harper. 1943.

Schickele, Rainer. Manpower in agriculture. Pp. 50. Ames (Ia.): Ia. State Coll. Press. 1943.

Stein, Charles W. The third-term tradition; its rise and collapse in American politics. Pp. 398. N. Y.: Columbia Univ. Press. 1943.

Stewart, Maxwell S. The crisis in manpower. Pp. 31. N. Y.: Pub. Affairs Committee. 1943.

Stone, Irving. They also ran; the story of the men who were defeated for the presidency. Pp. 400. Garden City (N. Y.): Doubleday. 1943.

Tsiang, I-mien. The question of expatriation in America prior to 1907. Pp. 128. Baltimore: Johns Hopkins Press. 1942.

Van Sickle, John V. Planning for the south; an inquiry into the economics of regionalism. Pp. 255. Nashville (Tenn.): Vanderbilt Univ. Press. 1943.

Voorhis, Horace Jeremiah. Out of debt, out of danger; proposals for war finance and tomorrow's money. Pp. 238. N. Y.: Devin-Adair Co. 1943.

War comes to Alabama. Pp. 141. University (Ala.): Bur. of Pub. Admin., Univ. of Ala. 1943.

Articles

Administration. Bureaus have nine lives. *Herbert Bratter.* Nation's Business. June, 1943.

———. The consequence of integrated state tax administration. *James W. Martin.* Taxes. July, 1943.

Administrative Law. Fact and law in judicial review. *Ray A. Brown.* Harvard Law Rev. May, 1943.

———. Administrative boards and delegation of power. *William B. Lawless, Jr.* Notre Dame Lawyer. May, 1943.

———. The right to intervene and appeal in federal communications commission proceedings. Yale Law Jour. June, 1943.

Administrative Reorganization. A proposed reorganization of the executive branch of the federal government. *E. Charles Woods.* Am. Pol. Sci. Rev. June, 1943.

Agriculture. Men for the farm. *Paul H. Landis.* Survey Graphic. June, 1943.

———. Iowa state department of agriculture; its administration. *George Wilson Willoughby.* Ia. Jour. of Hist. and Pol. July, 1943.

———. Midwest agriculture in the second year of war. *L. J. Norton.* Planning for victory on the food front. *T. Swann Harding.* Am. Jour. of Econ. and Sociol. July, 1943.

———. Why farmers fear the peace. *Arthur Moore.* Atlan. Mo. Aug., 1943.

———. Agriculture and the national emergency. *Firman E. Bear.* Scientific Mo. Aug., 1943.

Air Transport. Some phases of air transport regulation. *George C. Neal.* Georgetown Law Jour. May, 1943.

Alien Property Custodian. The vesting powers of the alien property custodian. *John F. Dulles.* Cornell Law Quar. Mar., 1943.

Army. The occupational adjustment of 1,000 selectees. *Eli Ginzberg.* Am. Sociological Rev. June, 1943.

———. Sick call in the army. *Herbert Corey.* Nation's Business. June, 1943.

———. The army teaches the trades. *C. Lester Walker.* Harper's. July, 1943.

———. Surgery under fire. *Charles Edmundson.* Front-line medicine. Fortune. July, 1943.

———. Status of chaplains with armed forces. *Robert R. Wilson.* Am. Jour. of Int. Law. July, 1943.

———. The preventive medicine program of the United States army. *James S. Simmons.* Am. Jour. of Pub. Health. Aug., 1943.

Civil Relief Act. Soldiers' and sailors' civil relief act amendments of 1942. *Edmund M. Field.* Univ. of Kansas City Law Rev. Apr., 1943.

———. The soldiers' and sailors' civil relief act amendments of 1942. Fordham Law Rev. May, 1943.

Civil Rights. Free speech and fair trials. *James A. Doyle.* Neb. Law Rev. Mar., 1943.

———. Seizure of private papers by government agents. *William M. Wherry* and *Albert S. Bard*. Pub. Util. Fort. June 10, 1943.

Civil Service. Library of congress employee relations program. *Archibald MacLeish*. Grievance procedures as aids to morale. *John A. Overhold*. A ringside view of the Washington show. *Paul Bellamy*. Personnel turnover in the federal government. *John W. Mitchell*. Personnel Admin. May, 1943.

———. Veterans in the civil service. *Charles P. Messick*. New Jersey Municipalities. June, 1943.

———. The fight for civil service in Texas. *J. M. Claunch*. Southwestern Soc. Sci. Quar. June, 1943.

———. Retirement plans in relation to public personnel administration. *A. A. Weinberg*. The use of service rations for employee guidance. *John G. Watkins*. Civilian employee training at the Kansas City quartermaster depot. *Schuyler Hoslett*. A method for segregating test items as to discriminatory power. *John C. Kidneigh*. Regional personnel office relationships. *James O. Yarger*. Pub. Personnel Rev. July, 1943.

Coal. A national fuel policy. *Robert M. Weidenhammer*. Jour. of Land and Pub. Util. Econ. May, 1943.

Congress. Congress; death throes or renascence? *John S. Bulman*. Georgetown Law Jour. May, 1943.

———. Congressional oversight of administration; the power of the purse, I. *Arthur W. Macmahon*. Pol. Sci. Quar. June, 1943.

———. The senate judiciary committee; qualifications of members. *David G. Farrelly*. Am. Pol. Sci. Rev. June, 1943.

———. A senator looks at congress. *Robert M. LaFollette, Jr.* Atlan. Mo. July, 1943.

Conservation. Don't waste the game crop! *James* and *Alice Wilson*. Harper's. Aug., 1943.

Constitutional Law. Current constitutional law decisions of the United States supreme court. *Charles E. Carpenter*. So. Calif. Law Rev. June, 1943.

Consumer Credit. Rate regulation in the field of consumer credit, II. *Wallace P. Mors*. Jour. of Business. Apr., 1943.

Corporations. A supreme court fiction; corporations in the diverse citizenship jurisdiction of the federal courts. *Dudley O. Mc Govney*. Harvard Law Rev. May, 1943.

Elections. Oregon educates its voters. *William L. Jasslin*. Nat. Mun. Rev. July, 1943.

Employment. Establishing and maintaining a full employment economy in the United States. *Mordecai Ezekiel*. Free World. July, 1943.

———. Business plans for high levels of post-war productive employment. *Paul G. Hoffman*. State Govt. July, 1943.

Federal Firearms Act. The federal firearms act. *R. T. G.* Temple Univ. Law Quar. May, 1943.

Federal System. Federalism, then and now; critiques by *Oswald D. Heck, Harold W. Dodds*, and *William L. Chenery*. State Govt. June, 1943.

Finance. Budgeting state finances for 1944 and 1945. *V. J. Wyckoff*. Taxes. June, 1943.

———. Treasury committee reports on fiscal relations. Treasury committee analyzes general property tax. Nat. Mun. Rev. June, July, 1943.

———. Painless war financing? *Colston E. Warne*. Current Hist. July, 1943.

———. Spending won't bring prosperity. *Harold G. Moulton*. Nation's Business. Aug., 1943.

Full Faith and Credit. Is Haddock dead? *Charles W. Taintor, II.* Miss. Law Jour. Mar., 1943.

———. Divorce and full faith and credit; Williams v. North Carolina. *Johnston Rowe.* Tex. Law Rev. May, 1943.

———. The bones of Haddock v. Haddock. *Harold Wright Holt.* Mich. Law Rev. June, 1943.

Government and Business. Governmental economic controls in war and peace. *Donald S. Frey.* Miss. Law Jour. Mar., 1943.

———. Caveat emptor versus caveat venditor. *Charles T. Le Viness.* Md. Law Rev. Apr., 1943.

———. The industrial board, precursor of the N.R.A.: The price-reduction movement after world war I. *E. Jay Howenstine, Jr.* Jour. of Pol. Econ. June, 1943.

———. Labor, management, and government after the war. *F. T. Carlton.* Am. Jour. of Econ. and Sociol. July, 1943.

Government Contracts. Blacklisting federal contractors. *Vaughn C. Ball.* Wash. Univ. Law Quar. Apr., 1943.

———. War procurement, and maximum price regulation. *Harry Polikoff* and *Stowell Rounds.* Some recent developments in renegotiation of war contracts. *J. Harry LaBrum.* Univ. of Pa. Law Rev. May, 1943.

———. Renegotiation of war contracts. *M. H. Cochran.* Taxes. July, 1943.

———. Termination of war contracts. *George S. Olive.* Renegotiation, termination, and costs. *Maurice E. Peloubet.* War contract termination; three viewpoints. *William H. Garbade, Robert M. Griffiths* and *Victor Z. Brink.* Jour. of Accountancy. July, Aug., 1943.

Governors. The governors of the states. State Govt. July, 1943.

Housing. Effect of business fluctuations upon public housing finance. *Max Nurnberg.* Jour. of Land and Pub. Util. Econ. May, 1943.

Immigration. Congress reconsiders Chinese exclusion. *Eileen Shanahan.* Far Eastern Survey. May 31, 1943.

Inter-governmental Relations. The T.V.A. and inter-governmental relations. *Alexander T. Edelmann.* Am. Pol. Sci. Rev. June, 1943.

Interstate Relations. Legal barriers to interstate migration. *Herbert Roback.* Cornell Law Quar. Mar., 1943.

———. The boundary and jurisdictional problems of the Ohio river. *Eugene O. Porter.* Ind. Mag. of Hist. June, 1943.

Jewry. Whither American Jewry? *Zachariah Shuster.* Contemp. Jewish Record. June, 1943.

Judicial Review. Judicial review and democracy. *Henry S. Commager.* Va. Quar. Rev. Summer, 1943.

Judiciary. The work of the Louisiana supreme court for the 1941–1942 term. *Symposium.* La. Law Rev. May, 1943.

———. Trial of good behavior of federal judges. *Charles Pergler.* Va. Law Rev. May, 1943.

———. Social efficiency of the judge. *Frank G. Tyrrell.* So. Calif. Law Rev. June, 1943.

Labor. Free speech and the Wisconsin employment relations act. *Eva Jacobs Schwartzman.* Wis. Law Rev. Mar., 1943.

———. Fair labor standards act as applied to wholesalers. *William J. Barnhard.* Georgetown Law Jour. May, 1943.

———. The scope of unfair labor practices under the national labor relations act and the Pennsylvania labor relations act. *James N. Peck.* Dickinson Law Rev. May, 1943.

———. Representatives of their own choosing (concluded). *Louis B. Boudin.* Ill. Law. Rev. May–June, 1943.

———. Men's and women's wages in the United States. *Z. Clark Dickinson.* Int. Labour Rev. June, 1943.

———. In defense of the supreme court's picketing doctrine. *Louis L. Jaffe.* Coverage of the fair labor standards act. *Malcolm M. Davisson.* Mich. Law Rev. June, 1943.

———. Public regulation of labor relations. *C. C. Killingsworth.* Am. Econ. Rev. June, 1943.

———. Wartime wage control. *Elbert J. Sheffield.* The Norris-LaGuardia act in the constitution. *Mozart G. Ratner* and *Norton J. Come.* Geo. Washington Law Rev. June, 1943.

———. Organized labor and negro workers. *Herbert R. Northrup.* Jour. of Pol. Econ. June, 1943.

———. Union membership and collective bargaining by foremen. Monthly Labor Rev. June, 1943.

———. Are utilities a proving ground for the race question? *Larston D. Farrar.* Pub. Util. Fort. June 24, 1943.

———. Wage and salary stabilization. *Hartwell A. Greene.* Alabama Lawyer. July, 1943.

———. What's the matter with labor? *Louis Stark.* Survey Graphic. July, 1943.

———. Is nation-wide bargaining ahead? *Almon E. Roth.* Atlan. Mo. Aug., 1943.

———. Management-labor coöperation. *E. C. Robbins.* The public looks at labor unions. *Elmo Roper.* Unionization of foremen. *Herbert R. Northrup.* Harvard Bus. Rev. Summer, 1943.

Land Problems. Land tenure policy goals. *John F. Timmons.* Excessive land subdivision in the New Jersey pine area. *Alvin T. M. Lee* and *Joseph F. Hauck.* Jour. of Land and Pub. Util. Econ. May, 1943.

Marine Corps. Military personnel administration; the United States marine corps. *Joseph W. Hawthorne.* Pub. Personnel Rev. July, 1943.

Merchant Marine. A merchant marine second to none? *William Diebold, Jr.* For. Affairs. July, 1943.

Military Government Training. The navy prepares for military government. *Jan O. M. Broek.* Far Eastern Survey. June 30, 1943.

———. Civilian administrators for foreign service. *Samuel D. Marble.* Pub. Management. July, 1943.

Motor Carriers. Recent applications of the "grandfather clause" of the federal motor carrier act. *Harry G. Henn* and *George J. Thompson.* Cornell Law Quar. Mar., 1943.

———. Motor truck certificates and permits in Texas; the certificate as a property right. Motor vehicle certificates and permits in Texas; procedure before the commission. *Edward W. Bailey.* Tex. Law Rev. Apr., May, 1943.

National Guard. The legal status of the national guard. *Elbridge Colby* and *James F. Glass.* Va. Law Rev. May, 1943.

Officers. Personal tort liability of administrative officials. *Eugene J. Keefe.* Fordham Law Rev. May, 1943.

Parties. The Republican party in Bourbon Georgia, 1872–1890. *Judson C. Ward, Jr.* Jour. of Southern Hist. May, 1943.

Patents. Government ownership of patents. *Frank J. Wille.* Fordham Law Rev. May, 1943.

———. Patent reform and 1943; anti-trust and anti-patent law. *Lawrence I. Wood.* Geo. Washington Law Rev. June, 1943.

Political Advertising. Political advertising in Illinois in the 1942 campaign. *Frederick S. Siebert* and *Edith Dyer.* Journalism Quar. June, 1943.

Post-war Planning. America tomorrow. *Henry A. Wallace.* Free World. Aug., 1943.

———. Action for post-war planning. *J. Raymond Walsh.* A public opinion for planning. *Talbot Hamlin.* Antioch Rev. Summer, 1943.

Presidency. War powers of the president. *Malcolm K. Whyte.* Wis. Law Rev. Mar., 1943.

———. Presidential proclamations and the British tradition. *Hans Aufricht.* Jour. of Politics. May, 1943.

Press. Foreign-language press in world war II. *Joseph S. Roucek.* Sociology and Soc. Research. July–Aug., 1943.

Price Control. The search for standards of valid price legislation. *Lynford A. Lardner.* Jour. of Politics. May, 1943.

———. What happened to price control? *Michael Darrock.* Harper's. July, 1943.

———. Where price control got off the beam. *Lawrence Sullivan.* Nation's Business. July, 1943.

Prohibition. The failure of local prohibition. *Edward Robinson.* Am. Mercury. Aug., 1943.

Public Safety. A long range approach to public safety problems. *B. H. Faulkner.* Nat. Mun. Rev. June, 1943.

Public Utilities. The rate of return on Pennsylvania utilities. *W. Roy Buckwalter.* Univ. of Pa. Law Rev. Apr., 1943.

———. Public utility financing in the first quarter of 1943. *R. G. Dudley* and *W. H. Evans.* Jour. of Land and Pub. Util. Econ. May, 1943.

———. Effects of price control on rate regulation. Ill. Law Rev. May–June, 1943.

———. Wartime utility rate control. *Leon Jourolmon, Jr.* Tenn. Law Rev. June, 1943.

———. The yardstick for utility regulation. *W. W. Cooper.* Jour. of Pol. Econ. June, 1943.

———. The accountants have their troubles, spite of rules. *Harry H. Frank.* Straws pointing to a change in the wind. *Herbert Corey.* Utility regulation began in the bay state. *Earl H. Barber.* Pub. Util. Fort. June 10, July 8, 22, 1943.

Racketeering. The place of the anti-racketeering act in our constitutional-legal system. *Louis B. Boudin.* Cornell Law Quar. Mar., 1943.

———. The Hobbs bill to outlaw labor racketeering. *Symposium.* Cong. Digest. June–July, 1943.

Railroads. Railroad certificates of convenience and necessity issued under the interstate commerce act. *Donald Ross Marshall.* Ore. Law Rev. June, 1943.

Rationing. State gasoline tax administrators and mileage rationing program. *George H. Watson.* State Govt. June, 1943.

———. Rationing and social control. *Emory S. Bogardus.* Sociology and Soc. Research. July–Aug., 1943.

Recreation. A recreation livelihood area. *George S. Wehrwein* and *Hugh A. Johnson.* Jour. of Land and Pub. Util. Econ. May, 1943.

Regulatory Commissions. The federal regulatory commissions. *Pembroke H. Brown.* Accounting Rev. July, 1943.

Relief. Families in need in wartime. *Jane M. Hoey.* Survey Graphic. July, 1943.

Rural Electrification. What is the true origin of NRECA? *Judson King.* What's behind the attack on NRECA? *Clyde T. Ellis.* Pub. Util. Fort. July 8, 22, 1943.

Sabotage. Sabotage and America's minorities. *Joseph S. Roucek.* World Affairs Interpreter. Spring, 1943.

Selective Service. The alien enemy and the draft. *Joseph L. Delaney.* Brooklyn Law Rev. July, 1943.

Social Security. Social security lifts its sights. *Robert F. Wagner.* Survey Graphic. July, 1943.

South. Conflict in the south; a challenge to southern conservatives. *John W. Bowyer.* Southwest Rev. Spring, 1943.

———. The deep south looks up. Fortune. July, 1943.

———. The new deal and the south. *H. Clarence Nixon.* Va. Quar. Rev. Summer, 1943.

State Constitutions. The need for constitutional revision in Texas. *Howard A. Calkins.* The Texas legislature; a problem for constitutional revision. *O. Douglas Weeks.* Constitutional revision; the governor, the administrative system, and local government. *J. Alton Burdine.* Tex. Law Rev. May, 1943.

———. The constitution should be changed by amendment. *Wesley L. Lance.* The constitution should be changed by revision. *Charles R. Erdman, Jr.* New Jersey Municipalities. June, 1943.

State Government. State government reporting in wartime. *W. Brooke Graves.* States study post-war problems. State Govt. June, July, 1943.

State Legislatures. Streamlining legislative journals. *Frederic H. Guild.* Recent developments in the state legislative process. *O. Douglas Weeks.* State Govt. June, July, 1943.

———. State legislative highlights, 1943. *Herbert Wiltsee.* Nat. Mun. Rev. July, 1943.

State Police. A fight to establish the state police. *C. H. Quenzel.* Jour. of Crim. Law and Criminol. May–June, 1943.

———. New Jersey state police in the war effort. *Clinton A. Vance.* New Jersey Municipalities. June, 1943.

Subsidies. The quagmire of subsidies. *Lawrence Sullivan.* Nation's Business. Aug., 1943.

Supreme Court. The judicial art of Wiley B. Rutledge. *Ralph F. Fuchs.* Wash. Univ. Law Quar. Apr., 1943.

———. Ten years of supreme court voting. *C. Herman Pritchett.* Southwestern Soc. Sci. Quar. June, 1943.

Taxation. A pattern of successful property tax administration; the Wisconsin experience, I: State supervision. *Harold M. Groves* and *A. Bristol Goodman.* Jour. of Land and Pub. Util. Econ. May, 1943.

———. Property tax problems. *Lester R. Grimm.* Ill. Mun. Rev. June, 1943.

———. The doctor's federal taxes. *Erwin N. Griswold.* The importance of citizenship, residence, and domicile in federal income taxation. *Frank M. Keesling.* Calif. Law Rev. June, 1943.

———. Insurance under the federal income tax. *William Vickrey.* Yale Law Jour. June, 1943.

———. State jurisdiction to tax intangibles; a twelve-year cycle. *Robert L. Howard.* Mo. Law Rev. June, 1943.

———. Taxes can shape the future. *Walter F. George.* Nation's Business. July, 1943.

———. A war increment tax. *Herman Walker, Jr.* Economic effects of a federal general sales tax. *William J. Shultz.* Taxes. July, Aug., 1943.

Transportation. Our next transportation crisis. *Curtis Fuller.* Nation's Business. July, 1943.

Vital Statistics. Completeness of birth registration in the United States in 1940. *Robert F. Lenhart.* Am. Jour. of Pub. Health. June, 1943.

War Economy. Wartime concentration of production. *Charles A. Myers.* Jour. of Pol. Econ. June, 1943.

———. Taxes and wages on the up and up? *D. G. Redmond.* Current Hist. Aug., 1943.

———. Interim report on CMP. *John H. Martin.* Harvard Bus. Rev. Summer, 1943.

War Relocation Authority. The war relocation authority and Japanese-Americans; constitutional aspects. *Roald A. Hogenson.* Geo. Washington Law Rev. June, 1943.

Workmen's Compensation. Workmen's compensation for maritime employees; the Jensen doctrine reëxamined. Univ. of Chicago Law Rev. Apr., 1943.

———. Extraterritorial application of the Texas workmen's compensation act in comparison with the acts of other states. *Clifford Roberts.* Tex. Law Rev. May, 1943.

Youth. Youth builds today for a better tomorrow. *Herbert C. Morris.* Nat. Mun. Rev. July, 1943.

FOREIGN AND COMPARATIVE GOVERNMENT

Books and Pamphlets

Bainville, Jaques. L'Angleterre et l'empire britannique. Pp. 251. Montreal: Les Éditions Variétés. 1943.

Basseches, Nikolaus. The unknown army; the nature and history of the Russian military forces. Pp. 239. N. Y.: Viking. 1943.

Beveridge, Sir William. The pillars of security. Pp. 216. London: Allen & Unwin. 1943.

Brenner, Anita. The wind that swept Mexico; the history of the Mexican revolution, 1910–1942. Pp. 302. N. Y.: Harper. 1943.

Brown, James E. Russia fights. Pp. 287. N. Y.: Scribner. 1943.

Citrine, Sir Walter M. British trade unions. Pp. 47. London: W. Collins. 1942.

Cole, G. D. H. Beveridge explained; what the Beveridge report on social security means. Pp. 48. London: New Statesman and Nation. 1942.

Cole, G. D. H. The Fabian society, past and present. Pp. 23. London: Fabian Society. 1942.

Dell, Robert E. The Geneva racket, 1920–1939. Pp. 375. Forest Hills (N. Y.): Transatlantic Arts. 1943.

Elliott, William Y., and *Hall, H. Duncan*, eds. The British commonwealth at war. Pp. 539. N. Y.: Knopf. 1943.

Foster, William Z. The soviet trade unions and allied labor unity. Pp. 47. N. Y.: Workers Lib. Pubs. 1943.

Guedalla, Philip. The two marshals: Bazaine, Pétain. Pp. 358. N. Y.: Reynal & Hitchcock. 1943.

Haskell, Arnold I. The dominions; partnership or rift? Pp. 32. London: Black. 1943.

Liebesny, Herbert T. The government of French North Africa. Pp. 130. Phila.: Univ. of Pa. Press. 1943.

Merker, Paul. Whither Germany? Pp. 64. N. Y.: Workers Lib. Pubs. 1943.

Morton, Walter A. British finance, 1930–1940. Pp. 356. Madison (Wis.): Univ. of Wis. Press. 1943.

Panikkar, Sardar K. M. Indian states. Pp. 32. London: Oxford Univ. Press. 1943.

Reynold, Gonzague de. D'où vient l'Allemagne? Pp. 206. Montreal: Les Éditions Variétés. 1943.

Saxton, Clifford Clive. Beveridge report criticised. Pp. 32. London: Harrap. 1943.

Scheu, Frederick J. British labor and the Beveridge plan. Pp.128. N. Y.: Island Press. 1943.

Sencourt, Robert. Winston Churchill. Pp. 310. London: Faber. 1943.

Sloan, Pat. How the soviet state is run. Pp. 128. London: Lawrence & Washbourne. 1943.

Sowden, Lewis. The Union of South Africa. Pp. 280. Garden City (N. Y.): Doubleday. 1943.

Stewart, Maxwell S. The Beveridge plan. Pp. 31. N. Y.: Pub. Affairs Committee. 1943.

Wunderlich, Frieda. The Beveridge plan. Pp. 12. N. Y.: New School of Soc. Research. 1943.

Articles

Administration. The post office joint advisory system. *B. Watson.* The board of native affairs; an experiment in departmental control. *A. G. Hercus.* Jour. of Pub. Admin. Mar., 1943.

Administrative Law. Trends in administrative law in New Zealand. *R. O. McGechan.* Jour. of Pub. Admin. Mar., 1943.

Agriculture. Collectivization of agriculture; Russia and India. *Sir John Maynard.* Asiatic Rev. Apr., 1943.

———. Effects of the war on Latin American agriculture. *Lawrence W. Witt.* Bull. Pan Am. Union. June, 1943.

Argentina. Argentina's "palace revolution." *Harry B. Murkland.* Current Hist. July, 1943.

Australia. Proposed enlargement of federal power in Australia. *Sir Owen Dixon.* Fed. Bar Assoc. Jour. May, 1943.

Austria. Training for citizenship; "authoritarian" Austrian style. *R. John Rath.* Jour. of Central European Affairs. July, 1943.

Aviation. Civil aviation developments in Latin America. Bull. Pan Am. Union. June, 1943.

Brazil. Economic mobilization and man-power problems in Brazil. Int. Labour Rev. June, 1943.

———. Brazil; laboratory of civilization. *Afrânio Coutinho.* Free World. Aug., 1943.

Burma. Responsible government in Burma. *B. W. Swithinbank.* Asiatic Rev. Apr., 1943.

Canada. Indian immigration into Canada; the question of franchise. *Sir Robert Holland.* Asiatic Rev. Apr., 1943.

———. The judicial system of Quebec. *E. Fabre Surveyer.* Jour. of Am. Judicature Society. June, 1943.

———. The interpretation of the British North America act. *W. P. M. Kennedy.* Cambridge Law Jour. Vol. 8, no. 2. 1943.

China. The Chiangs speak for China. *Katharine Ryder.* Current Hist. Aug., 1943.

Civil Service. The civil servant; his place and training. *Sir Gwilym Gibbon.* Pub. Admin. July, 1943.

Federalism. The constitutional law of federalism in the United States and Australia. *G. W. C. Ross.* Va. Law Rev. May, 1943.

Finance. Soviet public finances on the eve of the war. *A. J. Grajdanzev.* Slavonic and East European Rev. Mar., 1943.

———. British war finance and the banks. *Charlotte Muller.* Jour. of Business. Apr., 1943.

———. The Canadian budget, 1943. *C. H. Herbert.* Pub. Affairs. Spring, 1943.

———. The economics of compulsory savings. *Karl H. Niebyl.* Southwestern Soc. Sci. Quar. June, 1943.

———. The sixth war budget. *Francis W. Hirst.* Contemp. Rev. June, 1943.

France. A suggestion for France. *George Peel.* Contemp. Rev. June, 1943.

———. The forging of French unity. *Leo Gershoy.* Current Hist. July, 1943.

———. Committee of liberation; trustee of French interests. *Jacques Maritain.* Free World. Aug., 1943.

———. De Gaulle as a soldier. *H. A. De Weerd.* Yale Rev. Summer, 1943.

Germany. The political movements among the rural people in Schleswig-Holstein, 1918 to 1932, II. *Rudolf Heberle.* Jour. of Politics. May, 1943.

———. The Junkers; hostages to the past. *A. Whitney Griswold.* Va. Quar. Rev. Summer, 1943.

Great Britain. The status of the crown in the time of Bracton. *John F. Reinhardt.* Temple Univ. Law Quar. May, 1943.

———. The future of England. *W. R. Inge.* Fortnightly. May, 1943.

———. The tory tradition. *William B. Willcox.* Am. Hist. Rev. July, 1943.

———. Young Britain. *Barbara Ward.* For. Affairs. July, 1943.

———. Britain and the forgotten man. Victory first for British labor. *Alzada Comstock.* Current Hist. July, Aug., 1943.

India. The Indian centre and the provinces; financial relations. *Sir Gilbert Wiles.* The premier Indian state; many-sided progress. *H. J. Fells.* Mysore; the old era and the new. *Sir Stuart Fraser.* Asiatic Rev. Apr., 1943.

———. Population pressure in India. *S. Chandrasekhar.* India today and tomorrow (review article). *Kate L. Mitchell.* India's wartime economic difficulties. *Andrew J. Grajdanzev.* Pacific Affairs. June, 1943.

———. Responsibilities in India. *H. V. Hodson.* For. Affairs. July, 1943.

———. The Indian deadlock. *Lennox A. Mills.* Is the Indian deadlock unbreakable? A reply to Professor Mills. *Kate L. Mitchell.* Amerasia. July 25, 1943.

———. United states of India. *Lord Lytton.* India in the fourth year of the war. *Henry Stanley.* Free World. Aug., 1943.

Italy. Mussolini and bolshevism. *James Murphy.* Nine. Cent. and After. June, 1943.

Japan. Triumph of the peace party in Japan in 1873. *Nobutaka Ike.* Far Eastern Quar. May, 1943.

———. Soldier and peasant in Japan; the origins of conscription, II. *E. Herbert Norman.* Pacific Affairs. June, 1943.

———. Japan's economy since Pearl Harbor, I and II. *Andrew J. Grajdanzev.* Far Eastern Survey. June 14, 30, 1943.

Judiciary. The establishment of the county court in Nova Scotia. *George Patterson.* A glimpse of the London law courts. *R. S. W. Fordham.* Canadian Bar Rev. May, 1943.

Labor. Labor conditions in French North Africa. Labor conditions in Hungary. Monthly Labor Rev. May, June, 1943.

———. The future for Europe's workers. *Adolf Sturmthal.* Current Hist. Aug., 1943.

Mexico. Impact of war on Mexico's economy. *Ernest S. Hediger.* For. Policy. Rep. June 15, 1943.

———. Mexico; one year at war. Fortune. Aug., 1943.

Monopoly and Competition. Industrial combinations and the law. *Heinrich Kronstein.* Georgetown Law Jour. May, 1943.

Netherlands Indies. Dutch charter for the Indies. *Raymond Kennedy.* Pacific Affairs. June, 1943.

Post-war Planning. A liberal new order. *Allan G. B. Fisher.* Economica. May, 1943.

Railroads. Agreed changes in railway freight rates abroad. *Sam G. Spal.* Jour. of Business. Apr., 1943.

Rationing. Rationing and price control in Great Britain. *D. M. Keezer.* Am. Econ. Rev. June, 1943.

Rehabilitation. Rehabilitation. *M. Moohan.* Rehabilitation and the staffing problem. *R. S. Parker.* Jour. of Pub. Admin. Mar., 1943.

———. Returned prisoners of war. *George F. Collie.* Fortnightly. June, 1943.

———. The rehabilitation and resettlement of disabled persons in Great Britain; report of the interdepartmental committee. Int. Labour Rev. July, 1943.

Russia. Russia is ripe for freedom. *Alexander Kerensky.* Am. Mercury. Aug., 1943.

Social Security. Social security and some recent developments in the common law. *W. Friedmann.* Canadian Bar Rev. May, 1943.

———. Sequel to Beveridge. Round Table. June, 1943.

———. The planning of medical services in Australia. Int. Labour Rev. June, 1943.

———. Social security in Ecuador. Mexico's social security law. Bull. Pan Am. Union. June, July, 1943.

———. Administrative aspects of the Beveridge report. *Symposium.* Pub. Admin. July, 1943.

———. The Beveridge report and its American counterpart. *William Diebold, Jr.* Free World. July, 1943.

———. From poor law to Beveridge report. *A. D. K. Owen.* For. Affairs. July, 1943.

———. Health and security in Britain. *William Beveridge.* Survey Graphic. July, 1943.

———. The Beveridge plan for social security. *George B. Mangold.* Sociology and Soc. Research. July–Aug., 1943.

South Africa. A great imperial problem. *Indaba.* Nat. Rev. June, 1943.

———. The Indian question in South Africa. *H. G. L.* Bull. of Int. News. June 12, 1943.

Transportation. Public transportation in Canada after the war. *John L. McDougall.* Pub. Affairs. Spring, 1943.

War Economy. Wage policy and inflation in Great Britain, Canada, and the United States. *G. T.* Bull. of Int. News. May 29, 1943.

War Profits. Wartime profits of Russian industry, 1914–1916. *Theodore Cohen.* Pol. Sci. Quar. June, 1943.

INTERNATIONAL RELATIONS

Books and Pamphlets

Africa, the near east, and the war. Pp. 224. Berkeley (Calif.): Univ. of Calif. Press. 1943.

Aglion, Raoul. The fighting French. Pp. 315. N. Y.: Holt. 1943.

Bailey, Thomas A. America's foreign policies; past and present. Pp. 96. N. Y.: For. Policy Assoc. 1943.

Bonnet, Henri. Outlines of the future; world organization emerging from the war. Pp. 128. Chicago: World Citizens Assoc. 1943.

Braunthal, Julius. Need Germany survive? Pp. 256. London: Gollancz. 1943.

Brown, Wenzell. Hong Kong aftermath. Pp. 283. N. Y.: Smith & Durrell. 1943.

Burden, William A. M. The struggle for airways in Latin America. Pp. 268. N. Y.: Council on For. Rels. 1943.

Byng, Edward J. A five-year peace plan; a schedule for peace building. Pp. 191. N. Y.: Coward-McCann. 1943.

Caldwell, Cy. Air power and total war. Pp. 255. N. Y.: Coward-McCann. 1943.

Carnegie Endowment for International Peace. International organization and administration; definition and use of certain terms. Pp. 90. Wash.: Carnegie Endowment for Int. Peace. 1943.

Cassidy, Henry C. Moscow date-line, 1941–1943. Pp. 383. Boston: Houghton. 1943.

Chase, Allan. Falange; the axis secret army in the Americas. Pp. 288. N. Y.: Putnam. 1943.

Coleman, Christopher B. The United States at war; our enemies and our associates. Pp. 79. Indianapolis: Ind. Historical Soc. 1943.

Daniel, Hawthorne. Islands of the Pacific. Pp. 239. N. Y.: Putnam. 1943.

DeSeversky, Alexander P. Victory through air power. Pp. 364. Garden City (N. Y.): Garden City Pub. Co. 1943.

Domke, Martin. Trading with the enemy in world war II. Pp. 640. N. Y.: Central Book Co. 1943.

Drake, Francis V. Vertical warfare. Pp. 153. Garden City (N. Y.): Doubleday. 1943.

Dutt, R. P. The problem of India. Pp. 224. N. Y.: Int. Pubs. 1943.

Glazebrook, G. P. de T. Canadian external affairs. Pp. 320. London: Oxford Univ. Press. 1943.

Glazebrook, G. P. de T. Canada at the Paris peace conference. Pp. 184. London: Oxford Univ. Press. 1943.

Hetherington, John. Airborne invasion; the story of the battle of Crete. Pp. 190. N. Y.: Duell, Sloan & Pearce. 1943.

Hudson, Canon C. E. Nations as neighbours. Pp. 120. London: Gollancz. 1943.

Hudson, Manley O. The permanent court of international justice, 1920–1942. Pp. 807. N. Y.: Macmillan. 1943.

Koenig, Harry C., comp. Principles for peace. Pp. 920. Milwaukee: Bruce. 1943.

Krout, John A., ed. Mobilization of manpower and pressing the fight for freedom. Pp. 96. (Proc. Acad. Pol. Sci., vol. XX, no. 3, May, 1943.) N. Y.: Acad. of Pol. Sci., Columbia Univ.

Lesueur, Larry. Twelve months that changed the world. Pp. 345. N. Y.: Knopf. 1943.

Lippmann, Walter. U. S. foreign policy; shield of the republic. Pp. 194. N. Y.: Little, Brown. 1943.

Lochner, Louis P. What about Germany? Pp. 287. London: Hodder & Stoughton. 1943.

Lovering, T. S. Minerals in world affairs. Pp. 403. N. Y.: Prentice-Hall. 1943.

McInnis, Edgar. The war; third year. Pp. 366. London: Oxford Univ. Press. 1943.

MacIver, Robert M. Towards an abiding peace. Pp. 201. N. Y.: Macmillan. 1943.

Marriott, Sir John A. R. Federalism and the problem of the small state. Pp. 125. London: Allen & Unwin. 1943.

May, Mark A. A social psychology of war and peace. Pp. 292. New Haven (Conn.): Yale Univ. Press. 1943.

Morgan, Willard H. The aftermath of victory. Pp. 79. Topeka (Kan.): Capper Press. 1943.

Motherwell, Hiram. Rebuilding Europe, after victory. Pp. 32. N. Y.: Pub. Affairs Com. 1943.

Normano, J. F., and *Gerbi, Antonello.* The Japanese in South America; an introductory survey with special reference to Peru. Pp. 145. N. Y.: Day. 1943.

Norris, George W. Peace without hate. Pp. 36. Lincoln (Neb.): Univ. of Neb. Press. 1943.

O'Davoren, W. Post-war reconstruction conferences; the technical organization of international conferences. Pp. 158. London: King & Staples. 1943.

Patterson, Ernest Minor, ed. The united nations and the future. Pp. 107. (Annals Am. Acad. Pol. and Soc. Sci., July, 1943). Phila.: Am. Acad. Pol. & Soc. Sci.

The peoples' peace; by representatives of the united nations. Pp. 271. N. Y.: Geo. W. Stewart. 1943.

Pick, Frank. Paths to peace; two essays in aims and methods. Pp. 103. Forest Hills (N. Y.): Transatlantic Arts. 1943.

Randall, L. V. Bridgehead to victory; plans for the invasion of Europe. Pp.191. Garden City (N. Y.): Doubleday. 1943.

Robinson, Pat. The fight for New Guinea; General Douglas MacArthur's first offensive. Pp. 183. N. Y.: Random. 1943.

Schmitt, Bernadotte E. What shall we do with Germany? Pp. 25. Chicago: Univ. of Chicago Press. 1943.

Schwarzenberger, Georg. Power politics; an introduction to the study of international relations and post-war planning. Pp. 448. Forest Hills (N. Y.): Transatlantic Arts. 1943.

Segal, Simon. Nazi rule in Poland. Pp. 214. London: Hale. 1943.

Sprout, Harold Hance and *Margaret Tuttle.* Toward a new order of sea-power; American naval policy and the world scene, 1918–1922. 2nd ed. Pp. 349. Princeton (N. J.): Princeton Univ. Press. 1943.

Taylor, Henry Charles. World trade in agricultural products. Pp. 286. N. Y.: Macmillan. 1943.

The united nations and the organization of peace. Pp. 182. N. Y.: Commission to Study the Organization of Peace. 1943.

Villard, Oswald G. Shall we rule Germany? Pp. 22. N. Y.: Post War World Council. 1943.

War and peace in the Pacific; report of 8th conference of institute of Pacific relations. Pp. 164. London: Royal Inst. of Int. Affairs. 1943.

Wise, Stephen S., ed. Never again! Ten years of Hitler; a symposium. Pp. 104. N. Y.: Jewish Opinion Pub. Corp. 1943.

Articles

Aërial Warfare. Victory in the air? *Donald W. Mitchell.* Bombs over Germany. *Sidney B. Fay.* Current Hist. July, Aug., 1943.

———. Modern aërial warfare. *Nikolai Lazarev.* Commentary. *Francis Vivian Drake.* Free World. Aug., 1943.

———. Is German air power finished? *Alexander P. de Seversky.* Am. Mercury. Aug., 1943.

———. Has air power made good its claims? *Harold E. Hartney.* Va. Quar. Rev. Summer, 1943.

Africa. The realities in Africa. *W. E. Burghardt Du Bois.* For. Affairs. July, 1943.

American Foreign Relations. The United States of America and Russia. *Pitirim A. Sorokin.* Social Sci. July, 1943.

———. The realities of war and peace. *Hans Kohn.* Atlan. Mo. July, 1943.

———. The coming of economic sanctions into American practice. *Benjamin H. Williams.* Am. Jour. of Int. Law. July, 1943.

———. A modern foreign policy. *Joseph M. Jones.* Fortune. Aug., 1943.

———. The split in our foreign policy. *Nathaniel Peffer.* Harper's. Aug., 1943.

———. What price American foreign policy? *Irwin Ross.* Antioch Rev. Summer, 1943.

Atlantic Charter. The Atlantic charter and beyond. *Emery Reves.* Pub. Affairs. Spring, 1943.

———. The Atlantic charter as a menace to peace. *John E. Uhler.* Catholic World. Aug., 1943.

Austria. Austria today. *Minna R. Falk.* World Affairs Interpreter. Spring, 1943.

Aviation. Air transport. Round Table. June, 1943.

———. What is freedom of the air? *L. Welch Pogue.* Nation's Business. June, 1943.

Balkans. If we invade the Balkans. *Henry C. Wolfe.* Harper's. Aug., 1943.

———. Powder magazine of the Balkans. *Pierre Dupont.* Free World. Aug., 1943.

Belgium. Belgium and a new Europe. *Daniel H. Thomas.* World Affairs Interpreter. Spring, 1943.

British Foreign Relations. Anglo-French relations after the war. *W. T. Wells.* Fortnightly. May, 1943.

———. Franco-British relations during the first months of the war as an experiment in international coöperation. *Paul Vaucher.* Agenda. May, 1943.

———. Poland, Russia, and Great Britain. *Editor.* Nine. Cent. and After. June, 1943.

———. On criticisms of British far eastern policy. *Sir John Pratt.* Pacific Affairs. June, 1943.

———. China and Britain. Round Table. June, 1943.

———. Reform of the foreign service. *F. T. A. Ashton-Gwatkin.* Pub. Admin. July, 1943.

Burma. Rôle of the Shan states in the Japanese conquest of Burma. *Clarence Hendershot.* Far Eastern Quar. May, 1943.

———. The Shan states, south of Yunnan. *Clarence Hendershot.* Amerasia. July 25, 1943..

Canada. "The linchpin of peace." *Bruce Hutchison.* Fortune. July, 1943.

China. New China's demands. *T. S. Chien.* For. Affairs. July, 1943.

———. China's part in a coalition war. *T. A. Bisson.* Far Eastern Survey. July 14, 1943.

———. China can win and yet lose; a challenge to America and China. *Philip J. Jaffe.* China's war potential. *Hsu Yung-Ying.* Amerasia. July 25, 1943.

Colonies. The war effort of the fighting French empire. *Olivier Wormser.* Asiatic Rev. Apr., 1943.

Danube. The Danube confederation. *Ernst Klein.* Contemp. Rev. May, 1943.

———. Dispute for the Burgenland in 1919. *Elizabeth de Weiss.* Austria and the Danubian nations. *Aurel Kolnai.* Jour. of Central European Affairs. July, 1943.

Drug Traffic. Principles of international control of narcotic drugs. *Bertil A. Renborg.* Am. Jour. of Int. Law. July, 1943.

Europe. A free Italy and a free France. *Carlo Sforza.* Free World. July, 1943.

Far East. Origin of Japanese interests in Manchuria. *Charles Nelson Spinks.* The Yunnan myth. *Warren B. Walsh.* Far Eastern Quar. May, 1943.

———. Our stake in the far east. *Warren B. Walsh.* Free World. July, 1943.

———. Post-war industrialization of India and China. *H. G. Quaritch Wales.* Catholic World. Aug., 1943.

Food. Food relief in Europe. *Emile Cammaerts.* Contemp. Rev. May, 1943.

———. Harmony at Hot Springs. Fortune. Aug., 1943.

———. The Hot Springs food conference. *C. Hartley Grattan.* Harper's. Aug., 1943.

———. The food situation, May, 1943. *John D. Black.* Harvard Bus. Rev. Summer, 1943.

Frontiers. The frontiers of the future. *Hans Ernest Fried.* Free World. Aug., 1943.

Geopolitics. The round world and the winning of the peace. *Sir Halford J. Mackinder.* For. Affairs. July, 1943.

Governments in Exile. The courts of allied powers in Great Britain. *Thomas G. Lund.* Univ. of Pa. Law Rev. Mar., 1943.

Hungary. Hungarian possibilities. *P.T.B.* Contemp. Rev. June, 1943.

Inter-American Relations. The Pan-American union; an international secretariat. *Robert I. Kull.* Agenda. May, 1943.

———. Good friends, good neighbors. The president of Bolivia visits Washington. Embassies replace legations. Bull. Pan Am. Union. June, July, 1943.

———. Steps to unity. *Samuel Guy Inman.* Middle American lifeline. *Barbara T. Brown.* Inter-American. July, Aug., 1943.

———. Inside the good neighbor policy. *Carleton Beals.* Harper's. Aug., 1943.

International Adjudication. Compulsory adjudication of international disputes. *Hans Kelsen.* Am. Jour. of Int. Law. July, 1943.

International Law. Jus pacis ac belli? Prolegomena to a sociology of international law. *Georg Schwarzenberger.* The guerrilla and the lawful combatant. *George Grafton Wilson.* Am. Jour. of Int. Law. July, 1943.

International Police. National security and international police. *Quincy Wright.* Am. Jour. of Int. Law. July, 1943.

International Trade and Finance. The British and American proposals for an international monetary system. *H.W.A.* Bull. of Int. News. May 15, 1943.

———. U. S.-India trade prospects. *Miriam S. Farley.* Far Eastern Survey. May 31, 1943.

———. Unitas and bancor; two plans of international payment. Round Table. June, 1943.

———. The international public corporation and economic reconstruction. *W. Friedmann.* Fortnightly. June, 1943.

———. Foreign exchange restrictions and public policy in the conflict of laws, II. *Evsey S. Rashba.* Mich. Law Rev. June, 1943.

———. The future of Latin American dollar bonds. *H. C. Wallich.* Am. Econ. Rev. June, 1943.

———. British overseas trade and foreign exchange. *Buford Brandis.* Pol. Sci. Quar. June, 1943.

———. Money based on guesses. *Gustav Stolper.* Who will boss our trade? *A. Wyn Williams.* Nation's Business. June, July, 1943.

———. Can we finance the future? *James F. Bell.* Atlan. Mo. July, 1943.

———. Keynes, White, and post-war currency. *Peter F. Drucker.* Harper's. July, 1943.

———. The transition from war to peace economy; analysis of an international report. *E. J. Riches* and *L. B. Jack.* Int. Labour Rev. July, 1943.

———. The world bank proposals. Fortune. Aug., 1943.

Italy. What price Italy? *Carol Thompson.* Current Hist. July, 1943.

———. Our government's plan for a defeated Italy. *Kingsbury Smith.* Am. Mercury. Aug., 1943.

———. Round table no. 17: The future of Italy. Free World. Aug., 1943.

Korea. Korea; the country America forgot. *Robert T. Oliver.* World Affairs. June, 1943.

Labor. Labor in international relations. *Philip Murray.* World Affairs. June, 1943.

Military Government. Military government. *C. W. Wickersham.* Fed. Bar Assoc. Jour. May, 1943.

———. American experience with military government. *Ralph H. Gabriel.* Am. Pol. Sci. Rev. June, 1943.

Minorities. Socio-graphic aspects of the minorities problem of Czechoslovakia. *Joseph S. Roucek.* Jour. of Central European Affairs. July, 1943.

Mohammedanism. Islam and the Muslims in the far east. *John G. Hazam.* Far Eastern Survey. July 28, 1943.

Near East. The possibility of unity among the Arab states. *Philip K. Hitti.* Am. Hist. Rev. July, 1943.

Neutrality. The rôle of neutrals. *Frank MacDermot.* Free World. July, 1943.

New Zealand. New Zealand's rôle in the Pacific. *David* and *Shirley Jenkins.* For. Policy Rep. June 1, 1943.

North Africa. North Africa; an American front. *A. Th. Polyzoides.* World Affairs Interpreter. Spring, 1943.

———. El Alamein to the Wadi Akarit. The Tunisian débâcle. *Sir Charles Gwynn.* Tunisia and after. *Sir Herbert Richmond.* Fortnightly. May, June, 1943.

———. Victory in Africa. *Jules Menken.* Nat. Rev. June, 1943.

———. Tunis in transition. *W. M. Cousins.* Contemp. Rev. June, 1943.

Occupied Territories. Occupied Europe. *S. Wolf.* Contemp. Rev. June, 1943.

———. Problems of invasion and occupation. *Karl Brandt.* For. Affairs. July, 1943.

Pacific. Anglo-American coöperation in the Pacific. *G. W. Keeton.* Fortnightly. June, 1943.

———. Strategy in the Pacific war. *Joseph Rosenfarb.* Antioch Rev. Summer, 1943.

Panama. Executive agreements relating to Panama. *L. H. Woolsey.* Am. Jour. of Int. Law. July, 1943.

Peace Problems. Peace-making; Vienna, Paris, and today. *C. K. Webster.* Agenda. May, 1943.

———. Germany defeated; what then? *Edgar Stern-Rubarth.* Contemp. Rev. May, 1943.

———. The war of peace. *Leopold C. Klausner.* World Affairs Interpreter. Spring, 1943.

———. On winning the peace. *William W. Waymack.* Int. Concil. June, 1943.

———. The economic essentials of a lasting peace. *Clarence E. Ayres.* Southwestern Soc. Sci. Quar. June, 1943.

———. A challenge to the peace societies. *Frederic Heimberger.* Free World. July, 1943.

———. Economic problems of the peace: Currency stabilization; the Keynes and White plans. *John H. Williams.* German reparations once more. *Jacob Viner.* Foreign trade and post-war stability. *Sumner H. Slichter.* For. Affairs. July, 1943.

———. Lasting peace is possible. *Sir Norman Angell.* Am. Mercury. July, 1943.

———. Reëducating the Germans. *Robert Ergang.* Current Hist. July, 1943.

———. How to deal with Japan. *Wilson Leon Godshall.* Some preliminaries to the building of a new international order. *Ada M. Herr.* Social Sci. July, 1943.

———. A world government and a world peace. *A. W. Anderson.* Commercial Law Jour. July, 1943.

———. The future of Europe. *G. D. H. Cole.* Winning the peace with Germany. *Heinz Soffner.* Survey Graphic. July, 1943.

———. The liberated nations and the new order. *Claude D. Pepper.* Free World. Aug., 1943.

———. Coalition for war and peace. *William Henry Chamberlin.* Yale Rev. Summer, 1943.

———. No peace without prosperity. *Richard A. Lester.* Va. Quar. Rev. Summer, 1943.

Philippines. Japan's blueprint for the Philippines. *Catherine Porter.* Far Eastern Survey. May 31, 1943.

Prisoners of War. The Geneva convention on treatment of prisoners of war. *Eleanor C. Flynn.* Geo. Washington Law Rev. June, 1943.

———. Japanese executions of American aviators. *Charles Cheney Hyde.* Am. Jour. of Int. Law. July, 1943.

Propaganda. Combating totalitarian propaganda; the method of enlightenment. *Institute of Living Law.* Minn. Law Rev. June, 1943.

Raw Materials. The earth remapped for British supplies. *Rosita Forbes.* Fortnightly. June, 1943.

Refugees. The Bermuda conference; diplomatic mockery. *Emanuel Celler.* Free World. July, 1943.

———. Hitler's gift to America. *Martin Gumpert.* Am. Mercury. July, 1943.

Rehabilitation. Relief and rehabilitation. *Herbert H. Lehman.* For. Policy Rep. July 15, 1943.

———. When freedom rings. *Herbert H. Lehman.* Survey Graphic. Aug., 1943.

Russia. Soviet-Polish relations. *H. Foster Anderson.* Fortnightly. May, 1943.

———. Polish-Russian relations; past and present. *Oscar Halecki.* Rev. of Politics. July, 1943.

———. Russia's western border lands. *Sidney B. Fay.* Current Hist. July, 1943.

Small Nations. The small nations. *Victor Bodson.* Fortnightly. May, 1943.

South America. Power politics in South America. *Arthur P. Whitaker.* Current Hist. Aug., 1943.

Submarine Warfare. Strike one on the U-boat! *Donald W. Mitchell.* Current Hist. Aug., 1943.

Suez Canal. The Suez canal as an international waterway. *Halford L. Hoskins.* Am. Jour. of Int. Law. July, 1943.

Sweden. Sweden; the dilemma of a neutral. *Naboth Hedin.* For. Policy Rep. May 15, 1943.

Thailand. Siamese imperialism and the Pan-Thai movement. *Sir Josiah Crosby.* Fortnightly. May, 1943.

Tin. America's tin industry. *Diómedes de Pereyra.* Inter-American. July, 1943.

United Nations. The united nations in war and peace. *George B. de Huszar.* World Affairs. June, 1943.

War. The situation. *Editor.* Nine. Cent. and After. May, 1943.

———. Command of the sea. *Sir Herbert Richmond.* Fortnightly. May, 1943.

———. Fight against time. *Jules Menken.* Mediterranean and Pacific. *H. G. Thursfield.* Nat. Rev. May, June, 1943.

———. Autopsies on the southeast Asia dêbâcle (review article). *Catherine Porter.* Pacific Affairs. June, 1943.

———. Strategy of the war. Round Table. June, 1943.

———. Strategy and tactics today. *Hamilton Fyfe.* Contemp. Rev. June, 1943.

———. Up to now; the first year and a half. *Frederick Lewis Allen.* Harper's. July, 1943.

———. America at war; December, 1942–May, 1943. *Hanson W. Baldwin.* For. Affairs. July, 1943.

———. Japan's army on China's front. *Guenther Stein.* Far Eastern Survey. July 14, 1943.

———. Festung Europa. Fortune. Aug., 1943.

War Aims. War for democracy, or restoration? *David Dempsey.* Antioch Rev. Summer, 1943.

War Crimes. The legal nature and punishment of criminal acts of violence contrary to the laws of war. *George Manner.* Punishment of war criminals by the United States. *Clyde Eagleton.* Am. Jour. of Int. Law. July, 1943.

———. War crimes and their punishment. *Thomas Raeburn White.* Yale Rev. Summer, 1943.

West Indies. The British West Indies, II. *C.M.C.* Bull. of Int. News. May 1, 1943.

JURISPRUDENCE

Books and Pamphlets

Ponce Tejeda, Efrain. Individualización de la pena. Pp. 71. Mexico City: Imprenta Rivadeneyra. 1942.

Pound, Roscoe. Outlines of lectures on jurisprudence. 5th ed. Pp. 252. Cambridge (Mass.): Harvard Univ. Press. 1943.

Strauss, Lillian L., and *Rome, Edwin P.* The child and the law in Pennsylvania. Pp. 292. Phila.: Pub. Charities Assoc. of Pa. 1943.

Waite, John Barker. The prevention of repeated crime. Pp. 221. Ann Arbor (Mich.): Univ. of Mich. Press. 1943.

Articles

Bar. Are lawyers performing services essential to the community or to the war effort? *Christopher B. Garnett.* Miss. Law Jour. Mar., 1943.

———. Stratification of the bar. *David A. Simmons.* Wisconsin's successful bar integration campaign. *Edmund B. Shea.* Jour. of Am. Judicature Society. June, 1943.

———. Population and lawyers, U. S. and Alabama, II. *Alexander B. Andrews.* Alabama Lawyer. July, 1943.

Comparative Law. Interaction of common law and Latin law; enforcement of

specific performance in Louisiana and Quebec. *Gerald F. Krassa.* Canadian Bar Rev. May, 1943.

Conflict of Laws. Constitutional aspects of the conflict of laws; recent developments. *Joseph O'Meara, Jr.* Minn. Law Rev. May, 1943.

Crime. Relationship between criminality and economic conditions. *Albert H. Hobbs.* Jour. of Crim. Law and Criminol. May–June, 1943.

Criminal Identification. The scientific crime detection laboratory. *J. Edgar Hoover.* Univ. of Chicago Law Rev. Apr., 1943.

Criminal Law. Early criminal law in Texas; from civil law to common law to code. *Charles S. Potts.* Tex. Law Rev. Apr., 1943.

———. Some sources of modern English criminal legislation. *L. Radzinowicz.* Cambridge Law Jour. Vol. 8, no. 2. 1943.

Declaratory Judgments. Challenging "penal" statutes by declaratory action. *Edwin Borchard.* Yale Law Jour. June, 1943.

Delinquency. Juvenile delinquency during the first world war; notes on the British experience, 1914–18. *Edith Abbott.* Social Service Rev. June, 1943.

———. Preventing juvenile delinquency. *Elsa Castendyck.* Pub. Management. June, 1943.

Divorce. Jurisdiction to divorce; a study in stare decisis. *Orrin B. Evans.* Mo. Law Rev. June, 1943.

———. Divorce; operation and effect; rights of divorced persons; objections to jurisdiction. *Morgan S. Pritchett.* Ore. Law Rev. June, 1943.

Evidence. Our "model code of evidence"; how shall it be adopted? *C. Sumner Lobingier.* Univ. of Pa. Law Rev. Apr., 1943.

———. Presumptions as evidence; a reply. *George G. Olshausen.* Calif. Law Rev. June, 1943.

Legal Aid. The legal aid clinic; benefits to lawyers, to law students, and to indigents. *Woodrow Patterson.* Tex. Law Rev. Apr., 1943.

Legal Education. Education for law teachers. *Henry Weihofen.* In advocacy of the problem method. *David F. Cavers.* A lay view of legal education. *Alvin Johnson.* A student's view—and later. *R. Dean Moorhead.* McDougal and Lasswell plan for legal education. *K. N. Llewellyn.* Columbia Law Rev. May, 1943.

Legal Philosophy. Legal aspects of truth in a world at war. *Brendan F. Brown.* The American philosophy of law. *Clarence E. Manion.* Notre Dame Lawyer. May, 1943.

———. Law and religion. *Philip Marshall Brown.* Am. Jour. of Int. Law. July, 1943.

Medicine. Scientific proof and relations of law and medicine. *Hubert W. Smith.* Suggested remedy for obstructions to expert testimony by rules of evidence. *Edmund M. Morgan.* Amnesia, real and feigned. *William G. Lennox.* Criteria required to prove causation of occupational or traumatic tumors. *Shields Warren.* A ministry of justice as a means of making progress in medicine available to courts and legislatures. *Roscoe Pound.* Univ. of Chicago Law Rev. Apr., 1943.

———. Scientific proof and relations of law and medicine: Scientific proof. *Hubert W. Smith.* Privileged communications; is justice served or obstructed by closing the doctor's mouth on the witness stand? *Zechariah Chafee, Jr.* Certain medicine and legal phases of eugenic sterilization. *Abraham Myerson.* Yale Law Jour. June, 1943.

———. Symposium on scientific proof and relation of law and medicine. Rocky Mt. Law Rev. June, 1943.

Military Law. Military jurisdiction over inductees. *G.S.P.* Univ. of Pa. Law Rev. May, 1943.

———. Canadian military law. *R. J. Orde.* Fed. Bar. Assoc. Jour. May, 1943.

———. The civilian lawyer and military law. *Walter P. Armstrong, Jr.* Tenn. Law Rev. June, 1943.

Penology. Classification in the state prison. *Elmer R. Akers.* Jour. of Crim. Law and Criminol. May–June, 1943.

Stare Decisis. Stare decisis. *John H. Flanigan.* Univ. of Kansas City Law Rev. Apr., 1943.

———. The supreme court, stare decisis, and law of the case. *James W. Moore* and *Robert S. Oglebay.* Tex. Law Rev. May, 1943.

———. Precedents. *Hon. Lord Wright.* Cambridge Law Jour. Vol. 8, no. 2. 1943.

Statutory Interpretation. Early statutory interpretation in England. *Max Radin.* Ill. Law Rev. May–June, 1943.

LOCAL GOVERNMENT

Books and Pamphlets

Alabama county statistical abstracts. Pp. 305. University (Ala.): Bur. of Bus. Research, School of Commerce and Bus. Admin., Univ. of Ala. 1943.

Ridley, Clarence, and *Nolting, Orin F.,* eds. The municipal year book, 1943. Chicago: Int. City Managers Assoc. 1943.

Saarinen, Eliel. The city; its growth, its decay, its future. Pp. 380. N. Y.: Reinhold Pub. Corp. 1943.

Shaw, Gerald W. Providing municipal services outside corporate limits; the experience of Tennessee cities. Pp. 24 (mimeo.). Knoxville (Tenn.): Govt. Reference Service, Univ. of Tenn. 1943.

Articles

Budgeting. Municipal budgeting in wartime. *Irving Tenner.* Accounting Rev. Apr., 1943.

———. Big city budget methods. *Norman N. Gill.* Nat. Mun. Rev. June, 1943.

Cities. New York City in the post-war period. *Harry Held.* Harvard Bus. Rev. Summer, 1943.

City Government. Coördinating municipal activities. *C. C. Ludwig.* Ill. Mun. Rev. May, 1943.

County Land. Selective selling and leasing of county land in North Dakota. *Morris H. Taylor.* Jour. of Land and Pub. Util. Econ. May, 1943.

Debt. Bonded debt of 290 U. S. cities as at January 1, 1943. *Rosina Mohaupt.* Nat. Mun. Rev. June, 1943.

Dog Regulation. Municipal regulation of the keeping of dogs. *O. C. Peterson.* Minn. Municipalities. June, 1943.

Finance. New local sources of municipal revenue. *Herbert A. Simon.* Am. City. July, 1943.

———. Eight years of city finances. *Charles J. Higson.* Tax Digest. July, 1943.

Fire Protection. War and post-war fire departments. Am. City. June, 1943.

Great Britain. The story of local government. *Sir Waldron Smithers.* Nat. Rev. May, 1943.

Health. Health education in a medium urban community. *Earle G. Brown.* Am. Jour. of Pub. Health. Aug., 1943.

Home Rule. Municipalities fight to maintain home rule. *Herbert A. Olson.* Mich. Mun. Rev. June, 1943.

Housing. Private enterprise plan in housing faces first test. *Paul Windels.* Nat. Mun. Rev. June, 1943.

Initiative and Referendum. The initiative and referendum in cities. *Winston W. Crouch.* Am. Pol. Sci. Rev. June, 1943.

Metropolitan Areas. Proposals for organization and operation of regional councils in metropolitan areas. *Harvey F. Pinney* and *Others.* Am. City. June, 1943.

Museums. A museum for your city. *Marvel Y. Ings* and *Margaret D. Clark.* The Municipality. July, 1943.

Personnel. The relationship between municipal employment and workmen's compensation. *Dean A. Esling.* Chicago-Kent Law Rev. June, 1943.

———. Philadelphia streamlines personnel plan. *Edward B. Shils.* Nat. Mun. Rev. July, 1943.

———. Employment stabilization in the Detroit city service. *Charles A. Meyer.* Pub. Personnel Rev. July, 1943.

Planning. Public land ownership. Yale Law Jour. June, 1943.

———. Post-war planning; how cities are doing it. Looking ahead with planners and housers. Pub. Management. June, 1943.

———. Planning for public works in the post-war period. *Frank W. Herring.* Post-war planning. Ill. Mun. Rev. July, 1943.

Public Utilities. An attempted utility "blitz" on Staten Island. *Ernest R. Abrams.* Pub. Util. Fort. June 10, 1943.

———. Some aspects of utility management. *A. C. Nichols.* Pub. Management. July, 1943.

Rent Control. Rent control and the Pennsylvania eviction laws. *Mary E. Hatton* and *Ellis W. Van Horn.* Univ. of Pa. Law Rev. Apr., 1943.

Streets. Municipal corporations; jurisdiction over streets and highways; relation to state highway commission. *Jeannette E. Thatcher.* Ore. Law Rev. June, 1943.

———. Plan post-war street lighting now. Ill. Mun. Rev. June, 1943.

Taxation. The Philadelphia wage tax and its litigation. *J.J.S.* Temple Univ. Law Quar. May, 1943.

Tort Liability. Liability of Virginia municipalities for defects in streets and sidewalks. *George A. Warp.* Va. Law Rev. May, 1943.

———. Should municipal liability for torts be extended? (concluded). *Harold E. Hanson.* The Municipality. May, 1943.

Transportation. All aboard! All aboard! But where are the passengers? *James H. Collins.* The human sardine after the war. *Raymond S. Tompkins.* Pub. Util. Fort. June 24, July 22, 1943.

Water Supply. Operating the water department during wartime. *L. A. Smith.* Am. City. June, 1943.

POLITICAL THEORY AND MISCELLANEOUS

Books and Pamphlets

Baynes, Norman H. Intellectual liberty and totalitarian claims. Pp. 79. N. Y.: Oxford Univ. Press. 1943.

Chesterton, G. K. St. Thomas Aquinas. Pp. 159. London: Hodder & Stoughton. 1943.

Dushaw, Amos I. Anti-semitism; the voice of folly and fanaticism. Pp. 116. Brooklyn: Tolerance Press. 1943.

Frankenstein, Ernst. Justice for my people; the Jewish case. Pp. 185. London: Nicholson & Watson. 1943.

Gallacher, W. Marxism and the working class. Pp. 52. London: Lawrence & Washbourne. 1943.

Greenawalt, William E. Democracy's salvation. Pp. 415. Denver: World Press. 1943.

Hallowell, John H. The decline of liberalism as an ideology, with particular reference to German politico-legal thought. Pp. 156. Berkeley (Calif.): Univ. of Calif. Press. 1943.

Hazelett, Clarence W. A dynamic capitalism; the philosophy of incentive taxation and incentivism. Pp. 181. N. Y.: Harper. 1943.

Hix, Horace G., Kingsburg, Warren T., and *Reed, Truman G.* Towards a better world. Pp. 500. N. Y.: Scribner. 1943.

Hoyt, Elizabeth E. Freedom from want; a world goal. Pp. 31. N. Y.: Pub. Affairs Comm. 1943.

Kattsoff, Louis Osgood. The conflict of political ideas. Pp. 41. Chapel Hill (N. C.). Univ. of N. C. Press. 1943.

Kozmian, Henry K. Socialism is not inevitable; an evaluation of collectivism against the background of traditional values. Pp. 95. N. Y.: Wm. Frederick Press. 1943.

Kuhne, Fritz. Das Problem der Delegation und Subdelegation von Kompetenzen der Staatsorgane. Pp. 199. Aarau: Sauerländer. 1941.

Laski, Harold J. Reflections on the revolution of our time. Pp. 428. N. Y.: Viking. 1943.

Laski, Harold J. Marx and today. Pp. 33. London: Gollancz. 1943.

Laufenburger, Henry. La intervención del estado en la vida económica. Pp. 348. Mexico City: Fondo de Cultura Económica. 1942.

Maritain, Jacques. The rights of man and natural law. Pp. 119. N. Y.: Scribner. 1943.

Maritain, Jacques, Christianisme et démocratie. Pp. 108. N. Y.: French & European Publications. 1943.

Mayer, J. P. Political thought in France from Siéyès to Sorel. Pp. 148. London: Faber. 1943.

Munk, Frank. The legacy of nazism; the economic and social consequences of totalitarianism. Pp. 304. N. Y.: Macmillan. 1943.

Myers, Gustavus. History of bigotry in the United States. Pp. 512. N. Y.: Random. 1943.

Nersoyan, Tiran. A Christian approach to communism. Pp. 103. London: F. Muller. 1943.

Oliva, Marcos Agustin. Democratización agraria. Pp. 700. Buenos Aires: Editorial Ideas. 1942.

Petersen, Arnold. Daniel De Leon, disciplinarian. Pp. 32. N. Y.: N. Y. Labor News Co. 1943.

Selsam, Howard. Socialism and ethics. Pp. 223. N. Y.: Int. Pubs. 1943.

Shoup, Carl S., and *Others.* Taxing to prevent inflation; techniques for estimating revenue requirements. Pp. 248. N. Y.: Columbia Univ. Press. 1943.

Socialist Labor Party. Workers of the world, unite! Declaration on the dissolution of the communist international, adopted May 27, 1943. Pp. 31. N. Y.: N. Y. Labor News Co. 1943.

Wallace, Henry A. The century of the common man; selected from recent public papers and edited by Russell Lord. Pp. 96. N. Y.: Reynal & Hitchcock. 1943.

Wheat, Clayton E., ed. The democratic tradition in America. Pp. 404. Boston: Ginn. 1943.

Wriston, Henry M. Challenge to freedom. Pp. 250. N. Y.: Harper. 1943.

Articles

Americanism. Americanism and frontier Catholicism. *Thomas T. McAvoy.* Rev. of Politics. July, 1943.

Calhoun. John C. Calhoun, philosopher of reaction. *Richard N. Current.* Antioch Rev. Summer, 1943.

Capitalism. Capitalism and its future appraised by two liberal economists. *Fritz Machlup.* Am. Econ. Rev. June, 1943.

Church and State. Religion in Russia. *Sir Bernard Pares.* For. Affairs. July, 1943.

Coöperatives. A theoretical analysis of consumer coöperatives; the managerial problem. *Arthur L. Bekenstein.* Jour. of Pol. Econ. June, 1943.

Dante. Dante's political ideas. *Barbara Barclay Carter.* Rev. of Politics. July, 1943.

Democracy. Primitive democracy in ancient Mesopotamia. *Thorkild Jacobsen.* Jour. of Near Eastern Studies. July, 1943.

Education. Educational reconstruction in central and eastern Europe. Planning for international education. *Symposia.* New Europe. Apr., June, 1943.

———. The challenge to allied education. *Kenneth Lindsay.* Fortnightly. June, 1943.

———. Education after the war. *Bertrand Russell.* Am. Mercury. Aug., 1943.

———. Education for tomorrow. *Jacques Maritain.* Yale Rev. Summer, 1943.

Exile. Exile as an institution. *Robert G. Caldwell.* Pol. Sci. Quar. June, 1943.

Fascism. The conflict of fascist and democratic ideals. *Melvin Rader.* Antioch Rev. Summer, 1943.

Freedom. Towards a greater freedom. *Ernest Barker.* Pub. Affairs. Spring, 1943.

———. Why not try freedom? *Henry M. Wriston.* Harper's. Aug., 1943.

———. The man vs. the state. *Sir Ernest Benn.* Nation's Business. Aug., 1943.

Government and Business. The twilight of the price system. *C. E. Ayres.* Antioch Rev. Summer, 1943.

Hero-Worship. Wagner, Siegfried, and Hitler; a study in ambivalence. *Eric Russell Bentley.* New Mex. Quar. Rev. Summer, 1943.

Ideology. Racial ideologies and the war. *Lewis C. Copeland.* Sociology and Soc. Research. July–Aug., 1943.

Jefferson. What is still living in the political philosophy of Thomas Jefferson? *Carl Becker.* Am. Hist. Rev. July, 1943.

———. On Jeffersonian tradition. *Francis G. Wilson.* Rev. of Politics. July, 1943.

Medicine. Problems of group health associations. *Edward C. McDonagh.* Sociology and Soc. Research. July–Aug., 1943.

National Income. Public expenditure in the national income. *Ernest H. Stern.* Economica. May, 1943.

National Morale. What makes war-time morale? *Max Lerner.* Survey Graphic. June, 1943.

Pacifism. The political theories of modern religious pacifism. *Mulford Q. Sibley.* Am. Pol. Sci. Rev. June, 1943.

Péguy. Péguy and the spirit of France. *John U. Nef.* Rev. of Politics. July, 1943.

Political Philosophy. Jacob Burckhardt's political thought. *Tancred Borenius.* Nine. Cent. and After. May, 1943.

———. Credo of a reactionary. *Francis S. Campbell.* Am. Mercury. July, 1943.

Postwar Planning. Ninety-five theses for these times. *Rockwell D. Hunt.* Coördination of post-war planning agencies. *E. Guy Talbott.* World Affairs Interpreter. Spring, 1943.

———. Post-war mass employment in public works, I and II. *Tadeusz B. Spitzer.* Pub. Util. Fort. June 24, July 8, 1943.

Power. Transitions in the exercise of power. *Karl Scholz.* Social Sci. July, 1943.

Propaganda. The new collectivist propaganda. *Glenn E. Hoover.* Am. Jour. of Econ. and Sociol. July, 1943.

Public Opinion. How good is the Canadian Gallup poll? *Wilfrid Sanders.* Pub. Affairs. Spring, 1943.

Race. What we do not know about race. *Wilton M. Krogman.* Scientific Mo. Aug., 1943.

Research. The war and post-war integration of research activities in the United States. *Richard H. Heindel.* Agenda. May, 1943.

———. War-time priorities in research. *Ernest S. Griffith et al.* Am. Pol. Sci. Rev. June, 1943.

Rousseau. Rousseau and totalitarianism. *Robert A. Nisbet.* Jour. of Politics. May, 1943.

Subsidies. Subsidies and war-time price control. *H. G. Brown.* Am. Jour. of Econ. and Sociol. July, 1943.

Women. Woman's place in the future world order. *Winifrid Hayes.* Catholic World. Aug., 1943.

GOVERNMENT PUBLICATIONS

MILES O. PRICE

Law Library, Columbia University

AMERICAN

UNITED STATES

Civil Service Commission

Civil service retirement act; includes abstracts of decisions, opinions, regulations, and comments relating to acts of May 22, 1920, July 3, 1926, and May 29, 1930, and amendments thereto through March 7, 1942. Washington: Govt. Ptg. Off., 1943. xiii, 119 p. 20¢.

Commerce Department

Census bureau. Final general summary of public employment in January, 1943. Washington, 1943. 13 p. (processed) (State and local govt. quarterly employment survey, v. 4, no. 5)

——— 16th census of the United States, 1949: housing; analytical maps, Manhattan borough, New York City; block statistics. Washington, 1942, 29 p. (processed). (This is one of a series covering all cities of the United States having 100,000 inhabitants in 1940.)

——— Financial statistics of states, 1941: v. 2, Topical reports, no. 1, State revenue in 1941. 15 p. (processed); no. 4, State sinking and trust funds and state debt in 1941. 1943. 22 p. (processed.)

——— Retirement systems for state and local government employees, summary report; . . . Washington, 1943. 24 p. (processed). (State and local govt. special study no. 17.)

——— Population and housing, statistics for census tracts and community areas: Chicago, Ill. Washington: Govt. Ptg. Off., 1943. 467 p. $1.00.

Congress

House of Representatives. Appropriations committee. Goodwin B. Watson, William E. Dodd, Jr., and Robert Morss Lovett: hearings before the special subcommittee

. . . on the fitness for continuance in federal employment . . . Washington: Govt. Ptg. Off., 1943. 380 p.

Civil service committee. Investigation of civilian employment, hearings, 78th Cong., 1st session . . . to authorize Committee to investigate various activities in departments and agencies of the government . . . Washington: Govt. Ptg. Off., 1943. pt. 1, 238 p. 25¢.

——— *Foreign affairs committee.* The German people, testimony of Emil Ludwig, 78th Cong., 1st sess. Washington: Govt. Ptg. Off., 1943. 23 p. 10¢.

——— *Immigration and naturalization committee.* Hearings on . . . bills to repeal the Chinese exclusion acts, to put the Chinese on a quota basis, and to permit their naturalization. Washington: Govt. Ptg. Off., 1943. 283 p.

——— *Judiciary committee.* Garnishment of salaries of government employees, hearings . . . on H.R. 694, to provide for attachment, garnishment, execution, or trustee process of wages and salaries of civil officers and employees of United States. Washington: Govt. Ptg. Off., 1943. 72 p. 10¢.

——— *Military affairs committee.* Full utilization of manpower, hearings, 78th Cong., 1st sess., . . . Washington: Govt. Ptg. Off., 1943. 1068 p. $1.25.

——— *Reduction of non-essential federal expenditures joint committee.* Hearings . . . pt. 5, 1735–2052 p. Washington: Govt. Ptg. Off., 1943. 35¢. [Several special reports, varying in length from 9 to 41 pages, have been issued.]

Senate. Judiciary committee. Senate confirmation of officers and employees of United States, supplemental minority views to accompany S. 575 . . . Washington: Govt. Ptg. Off., 1943. 13 p.

——— *Military affairs committee.* Government employees' deferment, hearings 78th Cong., 1st sess., on S. 440, to prohibit deferment of persons between ages of 18 and 38 from service in armed forces because of their employment by United States. Washington: Govt. Ptg. Off., 1943. 19 p.

Immigration and Naturalization Service

Aids for citizenship teachers, a resource unit, for use in public schools by teachers of candidates for naturalization . . . Washington: Govt. Ptg. Off., 1943. 54 p. 15¢.

International Board of Inquiry for the Great Lakes Fisheries

Report and supplement [1942]. Washington: Govt. Ptg. Off., 1943. 213 p. 30¢.

Labor Department

Solicitor's office. Labor arbitration under state statutes. Washington: Govt. Ptg. Off., 1943. (processed) 227 p.

Library of Congress

Bibliography division. Aleutian Islands, list of references; comp. by Grace Hadley Fuller. Washington, 1943. 41 p. (processed).

——— British possessions in the Caribbean area; comp. by Ann Duncan Brown. Washington: Govt. Ptg. Off., 1943. 192 p. (processed).

——— Pacific islands, selected list of references; comp. by Helen F. Conover. Washington, 1943. 181 p. (processed).

Legislative reference service. Acts of Congress applicable in time of emergency. Washington, 1943. 108 p. (processed). (Public affairs bulletin no. 20.)

Legislative reference service. Reciprocal trade agreements program, June, 1934–April, 1943. Washington, 1943. 107 p. (processed). (Public affairs bulletin no. 19.)

——— Subsidies and price control. (A collection of recent reports by legislative

reference service.) Washington, 1943. 26 p. (processed). (Public affairs bulletin no. 21.)

National Archives

Preliminary inventory of war labor board records . . . comp. by Mary Walton Livingston and Leo Pascal. Washington, 1943. xvi, 22 p. (Preliminary inventory 4). (processed.)

President

War information office. Digest of functions of federal agencies. Washington: Govt. Ptg. Off., 1943. 63 p.

——— Handbook of emergency war agencies. Washington: Govt. Ptg. Off., 1943. 143 p. 20¢.

State Department

Digest of international law, by Green Haywood Hackworth. Washington: Govt. Ptg. Off., 1943. Volume V, Chapters XVI–XVIII. $2.50.

United Nations conference on food and agriculture, Hot Springs, Va., May 18–June 3, 1943, final act and section reports. Washington: Govt. Ptg. Off., 1943. 61 p. 20¢.

Office of foreign relief and rehabilitation operations. The office of foreign relief and rehabilitation operations. Washington: Govt. Ptg. Off., 1943. 19 p. (Genesis and functions, with biographical notes of chief personnel.)

War Department

Judge advocate general's department. American military government of occupied Germany, 1918–1920, report of officer in charge of civil affairs, 3d army and American forces in Germany. Washington: Govt. Ptg. Off., 1943. xiv, 365 p. 40¢

STATE AND TERRITORIAL

ALABAMA

University of Alabama, University. Bureau of business research. Alabama county statistical abstracts. University, 1943. 305 p. (Multilithed series no. 4.)

CALIFORNIA

Legislature. Manual of legislative procedure for state legislatures and other legislative bodies, by Paul Mason, Sacramento, State Ptg. Off., 1943. 564 p.

——— *Joint fact-finding committee on un-American activities in California.* Report. Sacramento, Bureau of Printing, 1943. 445 p. 85¢.

HAWAII

Honolulu. Mayor. Honolulu's first year in global war: a report to the people of the city and county of Honolulu. Lester Petrie. Honolulu, 1942. 28 p.

ILLINOIS

Legislative council. Research dept. The veto power in Illinois, with special relation to adjournment of the legislature . . . Springfield, 1943. 21 p. (mim.) (Pub. 56.)

MARYLAND

Planning commission, Baltimore. Six-year capital improvement program for

Maryland. Revised, 1943. Prepared by Thomas F. Hubbard. Baltimore, 1943. 114 p. (mim.). (Maryland state planning commission publication no. 37.)

MASSACHUSETTS

Special commission on the establishment of an administrative court. Report . . . Boston, 1943. 37 p. (Other reports by special commissions were those relative to certain problems arising from the holding of property in the Commonwealth for public purpose; relative to governmental relations; and to investigate criminal laws and penal code.)

MONTANA

Governor. Reorganization report submitted to the twenty-eighth legislative assembly by Governor Sam C. Ford. Helena, 1943. 132 p.

NEW JERSEY

Newark. Bureau of municipal research. Police problems in Newark. Newark, 20 Branford pl., 1943. 155 p. tables, charts.

NEW MEXICO

State planning board. The post-war years. A long-range program of capital improvements for the state of New Mexico. Santa Fé, 1943. 276 p.

OREGON

University of Oregon, Eugene. The tax systems of Australasia, by James H. Gilbert. Eugene, 1943. 168 p. (University of Oregon monographs. Studies in economics, no. 2.)

SOUTH DAKOTA

University of South Dakota, Vermillion. Governmental research bureau. A study of bar organization in South Dakota, by Allen G. Wilson. Vermillion, 1943. ix. 57 p.

FOREIGN AND INTERNATIONAL

ARGENTINA

Ministerio de agricultura. Dirección de propaganda y publicaciones. El fenómeno migatorio, por los abogados del Instituto argentino de derecho internacional . . . Nelida M. Giuricich, Ruis Mreno, Alberto Raúl y Pichot . . . Tomos I, II, III. Buenos Aires, Ministerio de agricultura, 1942. (Publicación miscelanea, no. 125.)

CHILE

Universidad de Chile. La abolición de la esclavitud en Chile, por Guillermo Feliu Cruz. Santiago, Prensas de la Universidad de Chile, 1942. 368 p.

COLOMBIA

Presidencia de la república. Secretaría del consejo de ministros. Delegación de funciones presidenciales. Bogotá, Imp. Nacional, 1943. 20 p.

CZECHOSLOVAKIA

Ministry of foreign affairs. Information service. The way to victory, by Dr. Edvard Benes. London, 1942. 30 p. (Czechoslovak documents and sources.)

——— What would be a good peace, by Dr. Edvard Beñes. London, 1943. 16 p. (Czechoslovak documents and sources.)

GREAT BRITAIN

Foreign office. Inter-allied declaration against acts of dispossession committed in territories under enemy occupation or control . . . London, H. M. S. O., 1943. 4 p. (Miscellaneous no. 1, 1943.) Cmd. 6418.

——— Treaty . . . for the relinquishment of extraterritorial rights in China and the regulation of related matters. With exchange of notes and agreed minute. London, H. M. S. O., 1943. (China no. 1, 1943.) Cmd. 6417.

Information services. Information division. The burden of taxation in Britain, revised. London, H. M. S. O., 1943. 12 p.

GUATEMALA

Ministry of foreign affairs. Continuation of the white book. Controversy between Guatemala and Great Britain, relative to the convention of 1859, on territorial matters. The question of British Honduras. VIII. Bordering territories of the captaincies-general of Guatemala and Yucatan during the colonial period. The Anglo-Mexican treaty of 1893 . . . Guatemala, Tip. Nacional, 1943. pp. 389–424.

LATVIA

Latvian legation, Washington, D. C., press bureau. The Baltic states and the problem of the freedom of the Baltic Sea, by Alfred Bilmanis. Washington, 1943. 71 p. bibl.

——— Latvia under German occupation, 1941–43 . . . with a preface by Alfred Bilmanis. Washington, 1943. 114 p.

MEXICO

President. Economic security and democratic régime in the post-war world, by Ezequiel Padilla. Mexico, D.F., 1943. 22 p. (Dept. of state for foreign affairs, International press service bureau. National and international problems, ser. 16.)

VENEZUELA

Oficina nacional de prensa. Medina ante el pueblo de Venezuela: la jiro del primer magistrado nacional a los estados Trujillo, Mérida y Zulia y sus reprecusiones nacionales e internacionales. Carácas, Editorial Egry, 1943. 124 p.

LEAGUE OF NATIONS

Economic, financial, and transit department. Europe's overseas needs, 1919–1920, and how they were met. Geneva, 1943. 52 p. (II. Economic and financial 1943. II.A.6.)

——— Relief deliveries and relief loans, 1919–1923. Geneva, 1943. 62 p. (II. Economic and financial. 1943. II.A.1.)

PAN-AMERICAN UNION

The basic principles of the Inter-American system. Washington, 1943. 40 p.

El sistema interamericano: elementos para el estudio de los problemas de organización de la post guerra. Informe . . . Washington, 1943. 56 p.